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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUST- MENT ADMINISTRATION

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF NORMAL YIELDS OF COM- MERCIALY RECOVERABLE SUGAR PER ACRE FOR SUGAR BEETS—1941 SUGAR BEET PROGRAM

Pursuant to the provisions of section 303 of the Sugar Act of 1937, as amended, I, Paul H. Appleby, Under Secretary of Agriculture, do hereby make the following determination:

§ 802.15d (a) *Determination of normal yields of commercially recoverable sugar per acre for sugar beets—1941 sugar beet program.* The normal yield of commercially recoverable sugar per acre for a farm on which sugar beets were planted for harvest in 1941 shall be the amount of sugar obtained by multiplying the normal yield of sugar beets, in tons per acre, for the farm by the amount of sugar, raw value, determined to be commercially recoverable in the determination entitled "Determination of Sugar Commercially Recoverable from Sugar Beets," approved June 21, 1940 (§ 802.11), from a ton of sugar beets of normal percentage of sugar content for the farm.

(b) *Definition.* For the purposes of this determination:

(1) The normal yield of sugar beets in tons per acre for a farm on which sugar beets were planted for harvest in three or more of the years 1934-40, inclusive, shall be the simple average of the annual average yields of sugar beets per acre planted on the farm for harvest for all of the years 1934-40, inclusive, in which sugar beets were planted for harvest.

(2) The normal yield of sugar beets in tons per acre for a farm on which sugar beets were planted for harvest in only one or two of the years 1934-40, inclusive, shall be the number of tons obtained by multiplying the county normal

yield (as defined in subparagraph 3) in tons of sugar beets per acre by the percentage that the simple average of the yields of sugar beets per acre planted on the farm for harvest in such year or two years is of the simple average of the yields of sugar beets per acre for the county for such year or two years, which county average yield shall be, for any year in which sugar beets were planted for harvest on ten or more of the farms on which sugar beets were planted for harvest in 1941, the weighted average yield of sugar beets per acre planted for harvest in that year on farms in the county on which sugar beets were planted for harvest in 1941, and for any year in which sugar beets were planted for harvest on less than ten of the farms on which sugar beets were planted for harvest in 1941, the yield per acre established by the State Agricultural Conservation Committee on the basis of the yields per acre for that year in the county and in adjacent counties which have similar sugar beet production conditions: *Provided, however,* That the normal yield for such farm shall not be less than 80 percent nor more than 120 percent of the county normal yield.

(3) The normal yield of sugar beets in tons per acre for a farm on which sugar beets were not planted for harvest in any of the years 1934-40, inclusive, shall be 90 percent of the county normal yield per acre, which county normal yield shall be, for a county in which sugar beets were planted for harvest in three or more of the years 1934-40, inclusive, on ten or more of the farms on which sugar beets were planted for harvest in 1941, the simple average of the county average yields (as defined in subparagraph 2), for all of the years 1934-40, inclusive, in which sugar beets were planted for harvest on ten or more of such farms, and for a county in which sugar beets were planted for harvest in less than three of the years 1934-40, inclusive, on ten or more of the farms on which sugar beets were planted for harvest in 1941, the yield per acre established by the State Agricultural Conservation Committee on the basis of the yields per acre for the years 1934-40, in-

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clusive, in the county and in adjacent counties which have similar sugar beet production conditions.

(4) The normal percentage of sugar content of sugar beets for farms from which sugar beets were contracted to be marketed in 1941 under that type of agreement commonly known as an "individual test contract," shall be as follows:

(i) In cases in which sugar beets were so marketed in three or more of the years 1934-40, inclusive, the simple average of the annual average percentages of sugar content, at the time of delivery to a processor, of the sugar beets marketed in such years (including all years in which sugar beets were so marketed);

(ii) In cases in which sugar beets were so marketed in only one or two of the years 1934-40, inclusive, the percentage of sugar content obtained by multiplying the county normal percentage of sugar content of sugar beets (as defined in subdivision iii) by the percentage that the simple average of the average percentages of sugar content, at the time of delivery to a processor, of the sugar beets marketed in such year or two years is of the simple average of the average percentages of sugar content of sugar beets for the county for such year or two years, which county average percentage shall be, for any year in which sugar beets were so marketed from ten or more of the farms on which sugar beets were planted for harvest in 1941, the weighted average percentage of sugar content, at the time of delivery to a processor, of the sugar beets marketed in that year from farms in the county on which sugar beets were planted for harvest in 1941, and for any year in which sugar beets were so marketed from less than ten of the farms

on which sugar beets were planted for harvest in 1941, the percentage of sugar content established by the State Agricultural Conservation Committee on the basis of the percentage of sugar content, at the time of delivery to a processor, of the sugar beets marketed in that year from farms in the county and in adjacent counties; and

(iii) In cases in which sugar beets were not so marketed in any of the years 1934-40, inclusive, the county normal percentage of sugar content of sugar beets, which county normal percentage shall be, for a county in which sugar beets were so marketed in three or more of the years 1934-40, inclusive, from ten or more of the farms on which sugar beets were planted for harvest in 1941, the simple average of the county average percentages of sugar content of sugar beets (as defined in subdivision ii), for such years (including all years in which sugar beets were so marketed from ten or more of the farms on which sugar beets were planted for harvest in 1941), and for a county in which sugar beets were not so marketed in at least three of the years 1934-40, inclusive, from ten or more of the farms on which sugar beets were planted for harvest in 1941, the percentage of sugar content of sugar beets established by the State Agricultural Conservation Committee on the basis of the percentage of sugar content, at the time of delivery to a processor of the sugar beets marketed in the years 1934-40, inclusive, from farms in the county and in adjacent counties.

(5) The normal percentage of sugar content of sugar beets for farms from which sugar beets were contracted to be marketed in 1941 under any type of agreement other than that commonly known as an "individual test contract," shall be the normal percentage of sugar content of sugar beets for the district (an area in which a common marketing agreement was in use in 1941), which district normal percentage shall be:

(i) For districts in which beet sugar factories were operated in three or more of the years 1934-40, inclusive, the simple average of the annual average percentages of sugar content, at the time of processing, of all of the sugar beets processed in the district in all of such years in which sugar beets were processed; and

(ii) For districts in which beet sugar factories were operated in less than three of the years 1934-40, inclusive, the percentage of sugar content of sugar beets established by the Agricultural Adjustment Administration on the basis of the average percentage of sugar content, at the time of processing, of sugar beets produced under similar conditions in the years 1934-40, inclusive. (Sec. 303, 50 Stat. 911; 7 U.S.C., 1133)

Done at Washington, D. C., this 18th day of June 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Under Secretary of Agriculture.

[F. R. Doc. 41-4368; Filed, June 18, 1941; 11:12 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

CHAPTER VI—ORGANIZED RESERVES

PART 61—OFFICERS' RESERVE CORPS¹

EXAMINATION FOR APPOINTMENT TO THE GRADE OF GENERAL OFFICER

§ 61.25 *Examination for appointment; general.* (a) These regulations define the scope and date of the professional examination of applicants for the eligible list in the grade of brigadier general, Officers' Reserve Corps, and for appointment to the grade of major general, Officers' Reserve Corps, as provided for in §§ 61.15 to 61.19.

(b) The professional examination will consist of a written examination and a practical test.*† [Par. 1]

*§§ 61.25 to 61.29, inclusive, issued under authority contained in R.S. 161; 5 U.S.C. 22. †These regulations are also contained in AR 140-20, Nov. 6, 1924. The particular paragraphs in the Army Regulations appear in brackets at the end of sections.

§ 61.26 *Written examination — (a) Subjects.* A written examination will be prepared by The Command and General Staff School and will embrace the following subjects:

- Organization.
- Administration and supply.
- Evacuation.
- Tactical principles.

(b) *Scope—(1) For applicants for the eligible list in the grade of brigadier general.* The examination will be prepared so as to demonstrate:

(i) Familiarity with the organization of the brigade headquarters, of its subordinate units, and with the means and methods of communication within the brigade and to higher units.

(ii) Familiarity with the principles of administration, replacement and supply of the subordinate units of the brigade, and with the duties and functions of brigade headquarters in the chain of administration and supply within the division.

(iii) Familiarity with the principles and operation of evacuation, to include the operation of collecting stations.

(iv) Familiarity with the principles of the evaluation and dissemination of military intelligence; and with the technique and tactics of combined arms as applied to the reinforced brigade acting alone, or the brigade in its relation to the division.

(2) *For applicants for appointment to the grade of major general.* The requirement of this examination will parallel that prescribed for applicants for the eligible list in the grade of brigadier general, extended and amplified as may be necessary to include the division and its relation to the corps.

(c) *Map problems.* The written examination will consist of two map problems in the solution of which the appli-

cant will be required to demonstrate his professional knowledge. These two map problems will pertain to the combat application of tactical principles.

(1) The first of these map problems will be a tactical problem, requiring:

(i) A tactical decision by the commander, and

(ii) The troop leading of organizations appropriate to the grade to which the applicant seeks appointment.

(2) The second, a problem in combat communications, combat supply, evacuation, and administration.

(d) *Description.* The written examination will be practical in character. While demonstrating fully the applicant's general and specific knowledge of the subject, the requirements should be simple and the amount of writing should be reduced to a minimum.*† [Par. 2]

§ 61.27 *Practical test—(a) Where conducted.* The practical test will be conducted at places where the necessary troops are available or can be concentrated conveniently in sufficient numbers.

(1) *For applicants for the eligible list in the grade of brigadier general.* Competent brigade staff and regimental headquarters will be provided for the command.

(2) *For applicants for appointment to the grade of major general.* Competent key members of a division staff with at least one Infantry brigade, the headquarters of another Infantry brigade, the headquarters of a Field Artillery brigade, and the headquarters of divisional special troops will be provided.

(b) *Scope—(1) For examination of applicants for eligible list in the grade of brigadier general.* The applicant will demonstrate to the satisfaction of the board by actual command of troops or by tactical walks or rides his ability:

(i) To command the brigade in the field and in combat.

(ii) To direct the collection and dissemination of military intelligence for the brigade.

(iii) To organize and direct the communication system of the organization.

(iv) To plan and order the operations of the brigade.

(v) To conduct in the field, under assumed war conditions, the combat operations of the brigade.

(2) *For examination of applicants for appointment to the grade of major general.* The foregoing requirements will be extended and amplified to include the command and operations of the division.

(c) *How conducted.* The test will be conducted either by terrain exercises, by tactical walks and rides, by actual command of the requisite troops, or by a combination of these methods, depending on available facilities. The applicant will be given an opportunity to demonstrate his familiarity with routine administration of the command. The tests will include conduct of a march, going into bivouac, organizing and operating the

communication net and evacuation system in a combat situation, and commanding the organization in combat.

(d) *Description.* All practical tests will be oral except for the preparation of such messages, orders, training programs, reports, and requisitions as are customarily prepared by the commander of an organization in the performance of his normal duties. The practical test to be given for renewal of appointments and for retention on the eligible list will follow the same lines as that prescribed for appointment.*† [Par. 3]

§ 61.28 *Time and place.* The examinations for all applicants will be held annually beginning on or about May 15 at place or places designated by the War Department based upon the recommendation of corps area commanders.*† [Par. 4]

§ 61.29 *Applications.* Applications to take the professional examinations will be forwarded by corps area commanders, together with their recommendations, so that they will reach the War Department not later than February 1 of each year. All applications for the yearly examinations will be forwarded at the same time. With these applications will be forwarded by the corps area commander the names of three general officers as members of the examining board and their recommendations under § 61.28 above. Approved applications will be returned to corps area commanders with the necessary instructions and copies of the written examinations.*† [Par. 6]

§ 61.30 *Conduct of examinations.* Section 61.16 prescribes the manner in which the examinations will be conducted and the disposition which will be made of papers connected therewith.*† [Par. 8]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-4352; Filed, June 17, 1941; 3:30 p. m.]

CHAPTER VIII—PROCUREMENT AND DISPOSAL OF EQUIPMENT AND SUPPLIES

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS¹§ 81.10 *Invitations for bids.*

(h) *Time allowed.* (1) Invitations for bids will, as a rule, allow 30 days to intervene between the date of issue and the date of opening bids. Subject to limitations prescribed by the chief of the supply arm or service concerned, a shorter period may be allowed, but no period of less than 10 days will be designated except in case of emergency. The existence of such emergency will be determined by the officer upon whom the duty of making the purchase devolves. In those cases where only a relatively

¹ §§ 61.25 to 61.30 are added.

² § 81.10 (h) (1) is amended.

short period is allowed for submission of bids, and prospective bidders are located a considerable distance from the purchasing office where the bids are to be received, the invitations for bids should be sent by air mail in order that there may be sufficient time for bidding, providing the necessary funds for postage are available. In this connection see paragraphs 4f and 7d, AR 340-10.² (R.S. 3709; 31 Stat. 905; 32 Stat. 514; 10 U.S.C. 5; 10 U.S.C. 1201) [Par. 12a, AR 5-140, May 22, 1940, as amended by Proc. Cir. 43, W.D., June 9, 1941]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-4367; Filed, June 18, 1941;
10:00 a. m.]

TITLE 13—BUSINESS CREDIT CHAPTER I—RECONSTRUCTION FINANCE CORPORATION

CHARTER OF RUBBER RESERVE COMPANY

Whereas, in order to aid the government of the United States in its national-defense program, Reconstruction Finance Corporation is authorized, pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended by the Act approved June 25, 1940, when requested by the Federal Loan Administrator, with the approval of the President, to create corporations with power to produce, acquire and carry strategic and critical materials, as defined by the President; and

Whereas, the President has defined rubber as a strategic material; and

Whereas, the Federal Loan Administrator has requested and the President has approved the creation of a corporation of the character described in paragraph Third hereof;

Now, therefore, it is stated that:

First. Reconstruction Finance Corporation does hereby create a corporation to be known as Rubber Reserve Company.

Second. The location of the principal office of the corporation shall be in the City of Washington, District of Columbia.

Third. The objects and purposes of the corporation shall be to perform all acts and transact all business which is permitted legally to be done, performed, and transacted in connection with the buying, selling, acquiring, storing, carrying, producing, processing, manufacturing and marketing of natural raw or cured rubber, as well as related materials and substances; and the corporation shall have power to do all things incidental thereto and necessary or appropriate in connection therewith, including, but without limitation, the power to borrow and hypothecate, to adopt and use a corporate seal, to make contracts, to acquire, hold and dispose of real and personal

property necessary and incident to the conduct of its business and to sue and be sued in any court of competent jurisdiction. The corporation, including its franchise, its capital, reserves, surplus, income and assets shall be exempt from all taxation now or hereafter imposed by the United States, or any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the corporation shall be subject to State, Territorial, county, municipal or local taxation to the same extent according to its value as other real property is taxed; the corporation shall be entitled to the free use of the United States mails; and, in addition to or in limitation of the privileges and immunities belonging to it as an instrumentality of the United States government, the corporation shall in all other respects be possessed of such privileges and immunities as are conferred upon Reconstruction Finance Corporation under the Reconstruction Finance Corporation Act, as amended.

Fourth. The total authorized capital stock of the corporation shall be five million dollars (\$5,000,000), consisting of 50,000 shares of the par value of \$100 each, of which one million dollars (\$1,000,000) shall be paid in immediately and the balance as called. Such stock shall be of one class, shall be non-assessable and shall be issued only for cash fully paid. Reconstruction Finance Corporation shall subscribe for all of the capital stock of the corporation. Such stock shall not be transferable, except with the approval of Reconstruction Finance Corporation (and then only to the extent that Reconstruction Finance Corporation deems it desirable that any such stock be transferred to members of the rubber industry for the purpose of furnishing assurance of their cooperation in the conduct of the activities of the corporation, facilitating the ultimate liquidation of the assets of the corporation, and thereby protecting the interests of the United States Government acting by and through Reconstruction Finance Corporation).

Fifth. The corporation shall have existence until dissolved by Reconstruction Finance Corporation.

Sixth. The stockholders shall not be liable for the debts, contracts or engagements of the corporation except to the extent of unpaid stock subscriptions.

Seventh. The corporation shall be managed by its Board of Directors, officers and agents pursuant to this Charter and the provisions of the By-laws of the corporation as prescribed by Reconstruction Finance Corporation.

Eighth. This Charter and the By-laws may be amended at any time by the Board of Directors of the corporation, upon approval of Reconstruction Finance Corporation.

In witness whereof, Reconstruction Finance Corporation has caused this Charter to be signed by its executive officer,

Chairman of its Board of Directors, attested by its Secretary, and has caused its seal to be hereunto affixed this 28th day of June 1940.

[SEAL] RECONSTRUCTION FINANCE
CORPORATION,

By EMIL SCHRAM, *Chairman.*

Attest:

G. R. COOKSEY,
Secretary.

[F. R. Doc. 41-3657; Filed, May 22, 1941;
9:28 a. m.]

CHARTER OF METALS RESERVE COMPANY

JUNE 28, 1940.

Whereas, Reconstruction Finance Corporation is authorized pursuant to an Act of Congress approved June 25, 1940, to create corporations in order to aid the government of the United States in its national-defense program with power to produce, acquire, and carry strategic and critical materials, as defined by the President; and

Whereas, the President has defined as strategic and critical materials those set forth in Article Third hereof;

Now, therefore, it is stated that:

First. Reconstruction Finance Corporation does hereby create a corporation to be known as Metals Reserve Company.

Second. The location of the principal office of the corporation shall be in the City of Washington, District of Columbia.

Third. The objects and purposes of the Corporation shall be to perform all acts and transact all business which is permitted legally to be done, performed, and transacted in connection with the buying, selling, acquiring, storing, carrying, importing, exporting, producing, processing, manufacturing and marketing of:

Antimony.	Nickel.
Chromium.	Quartz Crystal.
Coconut Shell Char.	Quinine.
Manganese, ferrograde.	Rubber.
Manila Fiber.	Silk.
Mercury.	Tin.
Mica.	Tungsten.

Critical Materials (15)

Aluminum.	Optical Glass.
Asbestos.	Phenol.
Cork.	Platinum.
Graphite.	Tanning Materials.
Hides.	Toluol.
Iodine.	Vanadium.
Kapok.	Wool.
Opium.	

as well as similar materials and substances; and shall have power to do all other things incidental thereto and necessary or appropriate in connection therewith, including, but without limitation, the power to borrow and hypothecate, to adopt and use a corporate seal, to make contracts, and to acquire, hold and dispose of real and personal property necessary and incident to the conduct of its business and to sue and be sued in any court of competent jurisdiction.

Fourth. The total authorized capital stock of the corporation shall be five

²Administrative regulations of the War Department relating to use of the mails.

million dollars (\$5,000,000) of which one million dollars (\$1,000,000) shall be paid in immediately and the balance as called. Such stock shall be of one class and be issued for cash only. Said stock shall be transferable only with the approval of the Board of Directors of Metals Reserve Company. Reconstruction Finance Corporation shall subscribe for all the capital stock of the corporation.

Fifth. The corporation shall have existence until dissolved by act of the Board of Directors of Reconstruction Finance Corporation.

Sixth. The stockholders shall not be liable for the debts, contracts or engagements of the corporation except to the extent of unpaid stock subscriptions.

Seventh. The corporation shall be managed by its Board of Directors, officers and agents pursuant to this Charter and the provisions of the By-laws of Metals Reserve Company as prescribed by the Board of Directors of Reconstruction Finance Corporation.

Eighth. This Charter and the By-laws may be amended at any time by the Board of Directors of Reconstruction Finance Corporation.

In witness whereof, Reconstruction Finance Corporation has caused this Charter to be signed by its executive officer, Chairman of its Board of Directors, attested by its Secretary, and has caused its seal to be hereunto affixed this 28th day of June 1940.

[SEAL] RECONSTRUCTION FINANCE CORPORATION,
By EMIL SCHRAM, *Chairman*.

Attest:

G. R. COOKSEY,
Secretary.

[F. R. Doc. 41-3658; Filed, May 22, 1941;
9:28 a. m.]

CHARTER OF DEFENSE PLANT CORPORATION

In order to aid the Government of the United States in its National Defense Program, Reconstruction Finance Corporation, for the purpose of creating a corporation with the powers hereinafter stated, pursuant to the authority contained in section 5d of the Reconstruction Finance Corporation Act, as amended, the creation of such corporation having been requested by the Federal Loan Administrator with the approval of the President, declares that:

First. The name of the Corporation shall be "Defense Plant Corporation".

Second. The location of the principal office of the Corporation shall be in the City of Washington, District of Columbia.

Third. The objects, purposes and powers of the Corporation shall be:

(a) To purchase, lease or otherwise acquire real estate and interests in real estate, to purchase, lease or otherwise acquire and to build and expand plants and

facilities, and to purchase, lease, produce or otherwise acquire and to repair, rebuild and alter equipment, supplies and machinery, for the manufacture of arms, ammunition and implements of war;

(b) To use, lease, license, or otherwise arrange for the use of such real estate, plants, facilities, equipment, supplies and machinery, for the manufacture of arms, ammunition and implements of war and the production of equipment, supplies and machinery usable in such manufacture; and

(c) If the President of the United States finds that it is necessary for the Corporation to engage in the manufacture of arms, ammunition and implements of war, or to engage in such manufacture itself.

The Corporation shall have power to do all things incidental to the foregoing and necessary or appropriate in connection therewith, including, but without limitation, the power to borrow and hypothecate, to adopt and use a corporate seal, to make contracts, to acquire, hold and dispose of real and personal property necessary and incidental to the conduct of its business, and to sue and be sued in any court of competent jurisdiction. The Corporation, including its franchise, its capital, reserves, surplus, income and assets shall be exempt from all taxation now or hereafter imposed by the United States, or any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, Territorial, county, municipal or local taxation to the same extent according to its value as other real property is taxed; the Corporation shall be entitled to the free use of the United States mails; and in addition to or in limitation of the privileges and immunities belonging to it as an instrumentality of the United States Government, the Corporation shall in all other respects be possessed of such privileges and immunities as are conferred upon Reconstruction Finance Corporation under the Reconstruction Finance Corporation Act, as amended.

Fourth. The total authorized capital stock of the Corporation shall be five million dollars (\$5,000,000), of which one million dollars (\$1,000,000) shall be paid in immediately and the balance as called. Such stock shall be of one class and shall be issued for cash only. Reconstruction Finance Corporation shall subscribe for all of the capital stock of the Corporation and such stock shall not be transferable.

Fifth. The Corporation shall have existence until dissolved by Reconstruction Finance Corporation.

Sixth. The stockholders shall not be liable for the debts, contracts or engagements of the Corporation except to the extent of unpaid stock subscriptions.

Seventh. The Corporation shall be managed by its Board of Directors, officers and agents pursuant to this Charter and the provisions of the By-laws of

the Corporation as prescribed by Reconstruction Finance Corporation.

Eighth. This Charter and the By-laws may be amended at any time by Reconstruction Finance Corporation.

In witness whereof, Reconstruction Finance Corporation has caused this Charter to be signed by its executive officer, Chairman of its Board of Directors, attested by its Secretary, and has caused its seal to be hereunto affixed this 22d day of August, 1940.

[SEAL] RECONSTRUCTION FINANCE CORPORATION,
By EMIL SCHRAM, *Chairman*.

Attest:

G. R. COOKSEY,
Secretary.

[F. R. Doc. 41-3659; Filed, May 22, 1941;
9:29 a. m.]

AMENDMENT TO THE CHARTER OF DEFENSE PLANT CORPORATION

Reconstruction Finance Corporation hereby certifies that, pursuant to paragraph Eighth of the Charter of Defense Plant Corporation and upon the request of the Federal Loan Administrator with the approval of the President of the United States, the Charter of Defense Plant Corporation was on February 15, 1941, amended by changing paragraph Third of said Charter to read as follows:

Third. The objects, purposes and powers of the Corporation shall be:

(a) To buy, sell, acquire, store, carry, import, export, produce, process, manufacture and market strategic and critical materials as defined by the President of the United States; and to purchase, lease, construct or otherwise acquire, and to use, or arrange for the use by others of, such land, buildings, plants, machinery, equipment, and facilities as may be necessary or appropriate in connection therewith;

(b) To purchase, lease or otherwise acquire real estate and interests in real estate, to purchase, lease or otherwise acquire and to build and expand plants and facilities, and to purchase, lease, produce or otherwise acquire and to repair, rebuild and alter equipment, supplies and machinery, for the manufacture of arms, ammunition and implements of war;

(c) To use, lease, license, or otherwise arrange for the use by others of such real estate, plants, facilities, equipment, supplies and machinery, for the manufacture of arms, ammunition and implements of war and the production of equipment, supplies and machinery usable in such manufacture; and

(d) If the President of the United States finds that it is necessary for the Corporation to engage in the manufacture of arms, ammunition and implements of war, to engage in such manufacture itself.

The Corporation shall have power to do all things incidental to the foregoing

and necessary or appropriate in connection therewith, including, but without limitation, the power to borrow and hypothecate, to adopt and use a corporate seal, to make contracts, to acquire, hold and dispose of real and personal property necessary and incidental to the conduct of its business, and to sue and be sued in any court of competent jurisdiction. The Corporation, including its franchise, its capital, reserves, surplus, income and assets shall be exempt from all taxation now or hereafter imposed by the United States, or any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, Territorial, county, municipal or local taxation to the same extent according to its value as other real property is taxed; the Corporation shall be entitled to the free use of the United States mails; and in addition to or in limitation of the privileges and immunities belonging to it as an instrumentality of the United States Government, the Corporation shall in all other respects be possessed of such privileges and immunities as are conferred upon Reconstruction Finance Corporation under the Reconstruction Finance Corporation Act, as amended.

[SEAL] RECONSTRUCTION FINANCE CORPORATION,

By EMIL SCHRAM, *Chairman*.

Attest:

G. R. COOKSEY,
Secretary.

[F. R. Doc. 41-3660; Filed, May 22, 1941;
9:29 a. m.]

CHARTER OF DEFENSE SUPPLIES CORPORATION

In order to aid the Government of the United States in its national-defense program, Reconstruction Finance Corporation hereby declares:

First. That pursuant to the authority contained in section 5d of the Reconstruction Finance Corporation Act, as amended by Act of Congress approved June 25, 1940, at the request of the Federal Loan Administrator with the approval of The President, there has been created a corporation under the name of Defense Supplies Corporation (hereinafter referred to as the "Corporation").

Second. That the location of the principal office of the Corporation shall be in the City of Washington, District of Columbia.

Third. That the objects and purposes of the Corporation shall be to buy, sell, carry, acquire, store, transport, produce, process, manufacture, market and otherwise dispose of strategic or critical materials and supplies of all kinds, which may

be necessary or appropriate in connection with the national-defense program of the Government, and the Corporation shall have the power and authority to do and perform all acts and things whatsoever in connection therewith or incidental thereto, including, but without limitation, the power to borrow money and issue its secured or unsecured obligations therefor; to adopt and use a corporate seal; to make contracts; to acquire, hold and dispose of real and personal property necessary or appropriate in the conduct of its business; to sue and be sued; and to conduct its operations and business and to maintain branches or agencies in any or all states, territories, districts and portions of the United States.

Fourth. That the Corporation, including its franchise, its capital, reserves, surplus, income and assets shall be exempt from all taxation now or hereafter imposed by the United States, or any territory, dependency or possession thereof, or by any state, county, municipality or local taxing authority except that any real property of the Corporation shall be subject to state, territorial, county, municipal or local taxation to the same extent according to its value as other real property is taxed.

Fifth. That the Corporation shall be an instrumentality of the United States Government, shall be entitled to the free use of the United States mails, and shall in all other respects be possessed of the privileges and immunities that are conferred upon the Reconstruction Finance Corporation under the Reconstruction Finance Corporation Act, as amended.

Sixth. That the total authorized capital stock of the Corporation shall be five million dollars (\$5,000,000), of which one million dollars (\$1,000,000) shall be paid in immediately, and the balance as called. Such stock shall be of one class, shall have a par value of \$100 per share, and shall be issued for cash only. Reconstruction Finance Corporation shall subscribe for all of the capital stock of the Corporation and such stock shall not be transferable.

Seventh. That the Corporation shall have existence until dissolved by Reconstruction Finance Corporation or by Act of Congress.

Eighth. That the stockholder shall not be liable for the debts, contracts, or engagements of the Corporation except to the extent of unpaid stock subscriptions.

Ninth. That the affairs and business of the corporation shall be managed by a board of directors who shall be appointed by Reconstruction Finance Corporation pursuant to the provisions of this Charter and the By-Laws of the Corporation.

Tenth. That this Charter and the By-Laws may be amended at any time by Reconstruction Finance Corporation.

In witness whereof, Reconstruction Finance Corporation has caused this Charter to be signed by its executive officer, Chairman of its Board of Directors, attested by its Secretary, and has caused its seal to be hereunto affixed this 29th day of August 1940.

[SEAL] RECONSTRUCTION FINANCE CORPORATION,

By EMIL SCHRAM, *Chairman*.

Attest:

G. R. COOKSEY,
Secretary.

[F. R. Doc. 41-3661; Filed, May 22, 1941;
9:29 a. m.]

AMENDMENT TO THE CHARTER OF DEFENSE SUPPLIES CORPORATION

Reconstruction Finance Corporation hereby certifies that, pursuant to paragraph Tenth of the Charter of Defense Supplies Corporation, said Charter was on February 15, 1941, amended by changing paragraph Third of said Charter to read as follows:

Third. That the objects, purposes and powers of the Corporation shall be:

(1) To produce, acquire, and carry strategic and critical materials which may be necessary or appropriate in connection with the national-defense program of the Government, including, but without limitation, the power to purchase, store, transport, process, sell, market, and otherwise dispose of such strategic and critical materials;

(2) To purchase and lease land, to purchase, lease, build and expand plants, and to purchase and produce equipment, supplies, and machinery, for the manufacture of arms, ammunition, and implements of war, including, but without limitation, the power to repair, rebuild, restore, and alter equipment, supplies and machinery for such manufacture;

(3) To lease such plants to private corporations to engage in such manufacture;

(4) To engage in the manufacture of arms, ammunition, and implements of war, including, but without limitation, the power to manufacture or otherwise produce supplies, parts, accessories, and materials necessary in the manufacture or production of arms, ammunition, and implements of war.

The Corporation shall have the power and authority to do and perform all acts and things whatsoever in connection with the foregoing objects, purposes, and powers, or incidental thereto, including, but without limitation, the power to borrow money and issue its secured or unsecured obligations therefor; to adopt and use a corporate seal; to make contracts; to acquire, hold and dispose of real and personal property necessary or appropriate in the conduct of its business; to sue and be sued; and to con-

duct its operations and business, and to maintain branches or agencies in any or all states, territories, dependencies, possessions, districts, and portions of the United States.

[SEAL] RECONSTRUCTION FINANCE CORPORATION,

By EMIL SCHRAM, *Chairman*.

Attest:

G. R. COOKSEY,
Secretary

[F. R. Doc. 41-3662; Filed, May 22, 1941;
9:30 a. m.]

CERTIFICATE OF INCORPORATION OF
DEFENSE HOMES CORPORATION

This is to certify:

First. That we, the subscribers, James L. Dougherty, whose post office address is 811 Vermont Avenue NW., Washington, D. C., Matthew J. McGrath, whose post office address is 811 Vermont Avenue NW., Washington, D. C., and George B. Williams, whose post office address is 811 Vermont Avenue NW., Washington, D. C., all being of full legal age, do, under and by virtue of the General Laws of the State of Maryland authorizing the formation of corporations, associate ourselves with intention of forming a corporation.

Second. That the name of the corporation (which is hereinafter called the "Corporation") is Defense Homes Corporation.

Third. That the purpose for which the Corporation is formed and the business to be carried on by it are as follows:

To engage in and carry on the business of buying, leasing, and otherwise acquiring lands and interests in lands of every kind and description and wheresoever situated; buying, leasing, and otherwise acquiring and constructing and erecting, or contracting for the construction and erection of buildings and structures in and on such lands for any uses or purposes; holding, owning, improving, developing, maintaining, operating, letting, leasing, mortgaging, selling, or otherwise disposing of any property, real or personal, including shares in, and bonds, notes, and other obligations of other corporations, incorporated under the laws of this State or any other state, or otherwise; equipping and operating any buildings or structures of whatsoever kind.

To lend money secured by mortgages, deeds of trust, or other instruments conveying or constituting a lien upon real or personal property or any interest therein; to carry on the general business of dealing in and lending upon mortgages on and deeds of trust of real estate, real estate mortgage bonds and securities, mortgages or other liens on personal property, and all other securities of a

similar nature; to borrow money for any of the purposes of the Corporation and to issue its secured or unsecured obligations therefor; to conduct its operations and business and to maintain branches or agencies in any or all states, territories, districts, and portions of the United States; to do and perform any and all acts and things necessary for or incidental to the operation of the business of a general mortgage loan corporation.

To provide for emergencies affecting the National security and defense.

To engage in and carry on any other business which may conveniently be conducted in conjunction with any of the business of the Corporation.

To carry out all or any part of the foregoing objects as principal, factor, agent, contractor, or otherwise, either alone or through or in conjunction with any person, firm, association, or corporation, and in carrying on its business and for the purpose of attaining or furthering any of its objects and purposes, to make and perform any contracts, and to do any acts and things and to exercise any powers suitable, convenient or proper for the accomplishment of any of the objects and purposes herein enumerated or incidental to the powers herein specified, or which at any time may appear conducive to or expedient for the accomplishment of any of such objects and purposes.

The foregoing shall be construed both as purposes and powers, and it is expressly provided that the above enumeration of specific purposes and powers shall not be held to limit or restrict in any manner the purposes and powers conferred upon or enjoyed by the Corporation by virtue of the laws of the State of Maryland or any other State.

Fourth. The post office address of the place at which the principal office of the Corporation in this State will be located is 701 West 40th Street, Baltimore, Maryland. The Resident Agent of the Corporation is Edward G. Lowry, Jr., whose post office address is 701 West 40th Street, Baltimore, Maryland. Said Resident Agent is a citizen of the State of Maryland and actually resides therein.

Fifth. The total authorized capital stock of the Corporation is ten million dollars (\$10,000,000), divided into one hundred thousand (100,000) shares of the par value of one hundred dollars (\$100.00) each. Such stock shall be issued for cash only to the Federal Loan Administrator and shall not be transferable.

Sixth. The Corporation shall have seven directors, and William C. Costello, James L. Dougherty, Sam H. Husbands, Howard J. Klossner, Matthew J. McGrath, Henry A. Mulligan, and George B. Williams shall act as such until the first annual meeting or until their successors are duly chosen and qualified. The number of directors may be changed in such

lawful manner as the by-laws may from time to time provide.

Seventh. The Board of Directors is hereby expressly authorized to enact by-laws for the management of the Corporation, and, from time to time, may alter, amend or repeal any such by-laws.

Eighth. The Corporation reserves the right from time to time to make any amendments to its charter which may now or hereafter be authorized by law, including any amendments changing the terms of any of its outstanding stock by classification, reclassification or otherwise.

In witness whereof, we have signed this Certificate of Incorporation on this 23d day of October 1940.

JAMES L. DOUGHERTY.
MATTHEW J. MCGRATH.
GEORGE B. WILLIAMS.

Witness as to all signatures:

M. A. McLAUGHLIN, Jr.

DISTRICT OF COLUMBIA, ss:

I hereby certify, that on October 23, 1940, before me, a Notary Public in and for the District of Columbia, personally appeared James L. Dougherty, Matthew J. McGrath, and George B. Williams, and severally acknowledged the foregoing Certificate of Incorporation to be their act.

Witness my hand and notarial seal, the day and year last above written.

[SEAL] NANCY H. KOUNDOURIOTIS,
Notary Public.

State Tax Commission of Maryland:

It is hereby certified that the within instrument is a true copy of Certificate of Incorporation of "Defense Homes Corporation" as received and approved by the State Tax Commission of Maryland on October 23, 1940, at 12:40 o'clock, P. M.

As witness my hand and seal of said Commission at Baltimore this 23d day of October 1940.

[SEAL] ALBERT W. WARD,
Secretary.

[F. R. Doc. 41-3663; Filed, May 22, 1941;
9:30 a. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 3900]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF INTERSTATE BAKERIES CORPORATION, ET AL.

§ 3.7 Aiding, assisting and abetting unfair or unlawful act or practice: § 3.24 (c) Coercing and intimidating—Customers of competitors—By divers threats

and/or methods of intimidation: § 3.27 (f) Combining or conspiring—To limit distribution to regular or established channels: § 3.27 (h) Combining or conspiring—To restrain and monopolize trade: § 3.30 (b) Cutting off competitors' access to customers or market—Hindering salesmen: § 3.33 (b10) Cutting off competitors' supplies—Refusing sales to. In connection with the offer, sale and distribution of bread, pastries, cakes and other bakery products in commerce, etc., and on the part of three corporations and four individuals (engaged in manufacture of such products and sale thereof in Sioux City, Iowa, and also, as case might be, in other states), and on the part of respondent labor union and certain individuals who were officers and members thereof, (1) entering into or carrying out, etc., any agreement, etc., the purpose or effect of which is to hinder or prevent any bakery, dealer or route man from purchasing bread, pastry, cakes or other bakery products in said commerce for resale in the trade area in and around Sioux City, Iowa; (2) entering into or carrying out, etc., any agreement, etc., the purpose or effect of which is to prevent any bakery, etc., in said trade area from selling such products in said commerce; (3) entering into or carrying out any agreement to classify dealers for the purpose or with the effect of hindering or preventing any dealer or any class of dealers in and around said city from obtaining such products in said commerce for resale; and (4) the using of threats or other coercive methods pursuant to any agreement or understanding with each other or with others to prevent any bakery or dealer or route man in the aforesaid trade area from purchasing and receiving or selling and delivering such products in said commerce; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Modified cease and desist order, Interstate Bakeries Corporation, et al., Docket 3900, June 9, 1941]

In the Matter of Interstate Bakeries Corporation, a Corporation (Interstate Baking Corporation); The Continental Baking Company, a Corporation; The Sioux City Bakery, a Corporation; Metz Brothers Baking Company, a Corporation; Fred W. Lenhardt, an Individual Trading as Quality Bakery; Emil A. Madsen, an Individual Trading as Madsen Bakery, (Madsen Baking Company); Jake Schindler, an Individual Trading as Iowa Bakery Company (Jake Schintler); Anthony Pages, an Individual Trading as Sunkist Cake and Pie Company; Local No. 383 of the Chauffeurs, Teamsters and Stablemen and Helpers Union, an Unincorporated Association, and Glenn Beamen, Charles Cunningham, Jim Brookhart,

William Carlson, O. G. Foster, Ralph Johnson, and Howard Foutz, Individually and as Officers and Members of Local No. 383 of the Chauffeurs, Teamsters and Stablemen and Helpers Union, and as Representatives of Other Members Thereof

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of June, A. D. 1941.

This proceeding having been heard before the Federal Trade Commission upon notice to the respondents, Interstate Bakeries Corporation, a corporation (Interstate Baking Corporation); The Continental Baking Company, a corporation; The Sioux City Bakery, a corporation; Metz Brothers Baking Company, a corporation; Fred W. Lenhardt, an individual trading as Quality Bakery; Emil A. Madsen, an individual trading as Madsen Bakery (Madsen Baking Company); Jake Schindler, an individual trading as Iowa Bakery Company (Jake Schintler); Anthony Pages, an individual trading as Sunkist Cake and Pie Company; Local No. 383 of the Chauffeurs, Teamsters and Stablemen and Helpers Union, an unincorporated association, and Glenn Beamen, Charles Cunningham, Jim Brookhart, William Carlson, O. G. Foster, Ralph Johnson, and Howard Foutz, individually and as officers and members of Local No. 383 of the Chauffeurs, Teamsters and Stablemen and Helpers Union, and as representatives of other members thereof, to show cause by brief why paragraphs 1, 2, 3 and 4 of the cease and desist order issued on February 6, 1941, should not be modified as set forth in said notice and as hereinafter set forth, and it appearing to the Commission that the respondent Continental Baking Company had filed a brief in which it stated that it could show no cause why said order should not be so modified, and it further appearing that the other respondents had not filed briefs, and the Commission having considered said matter and the record herein and being now fully advised in the premises;

It is ordered, That paragraphs 1, 2, 3 and 4 of the order to cease and desist heretofore issued on February 6, 1941, be and the same are hereby modified so as modified they are:

1. Entering into or carrying out, or enforcing or attempting to enforce, by any method or means, any agreement or understanding the purpose or effect of which is to hinder or prevent any bakery, dealer or route man from purchasing bread, pastry, cakes or other bakery products in said commerce for resale in the trade area in and around Sioux City, Iowa.

16 F.R. 1113.

2. Entering into or carrying out, or enforcing or attempting to enforce, any agreement or understanding the purpose or effect of which is to prevent any bakery, dealer or route man in the trade area in and around Sioux City, Iowa, from selling bread, pastry, cakes or other bakery products in said commerce.

3. Entering into or carrying out any agreement to classify dealers for the purpose or with the effect of hindering or preventing any dealer or any class of dealers in and around Sioux City, Iowa, from obtaining bread, pastry, cakes or other bakery products in said commerce for resale.

4. Using of threats or other coercive methods pursuant to any agreement or understanding with each other or with others to prevent any bakery or dealer or route man in the trade area in and around Sioux City, Iowa, from purchasing and receiving or selling and delivering bread, pastry, cakes or other bakery products in said commerce.

It is further ordered, That the respondents shall within sixty (60) days after service on them of this order file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the said order of February 6, 1941 and as herein modified.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4373; Filed, June 18, 1941;
11:50 a. m.]

[Docket No. 4226]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF ALTMAN NECKWEAR CORPORATION

§ 3.66 (a7) *Misbranding or mislabeling—Composition:* § 3.96 (a) (1) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of neckties and other similar merchandise, and among other things as in order set forth, (1) using the unqualified term "silk" or any other term or terms of similar import or meaning indicative of silk, to describe or designate any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm, and (2) using the term "Duo-Silk-All-O" or any other term of similar import or meaning on labels, or otherwise, to describe, designate, or refer to any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm, prohibited; subject to the provision, however, with respect to prohibition (1) hereof, that in the case of a fabric or product composed in part of silk and in part of materials other than

silk, such term or similar terms may be used as descriptive of the silk content if there are used in immediate connection and conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing and designating each constituent fiber thereof. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Altman Neckwear Corporation, Docket 4226, June 4, 1941]

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a7) *Misbranding or mislabeling—Composition:* § 3.69 (b) (1) *Misrepresenting oneself and goods—Goods—Composition:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition.* In connection with offer, etc., in commerce, of neckties and other similar merchandise, and among other things as in order set forth, advertising, offering for sale, or selling neckties or other products composed in whole or in part of rayon without clearly disclosing the fact that such fabrics or products are composed of rayon, prohibited; subject to the provision, however, that when such fabrics or products are composed in part of rayon and in part of other fibers or materials, such fibers or materials, including rayon, shall be named in letters of at least equal size and conspicuousness by words truthfully describing and designating each constituent fiber or material thereof. (Sec. 5, 238 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Altman Neckwear Corporation, Docket 4226, June 4, 1941]

§ 3.66 (a7) *Misbranding or mislabeling—Composition:* § 3.66 (c20) *Misbranding or mislabeling—Manufacture:* § 3.66 (k) (3) *Misbranding or mislabeling—Source or origin—Maker.* In connection with offer, etc., in commerce, of neckties and other similar merchandise, and among other things as in order set forth, (1) using the term "Cherokee Indian Homespun Wool" or any other term or similar import or meaning on labels, or otherwise, to describe, designate, or refer to any fabric or product which is not woven or manufactured by the Cherokee Indians; (2) using any pictorial design of an Indian in connection with any description of, or reference to, fab-

rics or products which are not woven or manufactured by the American Indian; or (3) using the term "Indian" or any term which includes the word "Indian" or any colorable simulation thereof, or using any other term of similar import or meaning on labels, or otherwise, to describe, designate, or refer to any fabric or product which is not woven or manufactured by the American Indian; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Altman Neckwear Corporation, Docket 4226, June 4, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 4th day of June, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before Lewis C. Russell, a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, and report of the trial examiner upon the evidence, and briefs filed herein, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Altman Neckwear Corporation, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of neckties and other similar merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the unqualified term "silk" or any other term or terms of similar import or meaning indicative of silk, to describe or designate any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm; *Provided, however,* That in the case of a fabric or product composed in part of silk and in part of materials other than silk, such term or similar terms may be used as descriptive of the

silk content if there are used in immediate connection and conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing and designating each constituent fiber thereof;

(2) Using the term "Duo-Silk-All-O" or any other term of similar import or meaning on labels, or otherwise, to describe, designate, or refer to any fabric or product which is not composed wholly of silk, the product of the cocoon of the silkworm;

(3) Advertising, offering for sale, or selling neckties or other products composed in whole or in part of rayon without clearly disclosing the fact that such fabrics or products are composed of rayon, and when such fabrics or products are composed in part of rayon and in part of other fibers or materials, such fibers or materials, including rayon, shall be named in letters of at least equal size and conspicuousness by words truthfully describing and designating each constituent fiber or material thereof;

(4) Using the term "Cherokee Indian Homespun Wool" or any other term of similar import or meaning on labels, or otherwise, to describe, designate, or refer to any fabric or product which is not woven or manufactured by the Cherokee Indians;

(5) Using any pictorial design of an Indian in connection with any description of, or reference to, fabrics or products which are not woven or manufactured by the American Indian;

(6) Using the term "Indian" or any term which includes the word "Indian" or any colorable simulation thereof, or using any other term of similar import or meaning on labels, or otherwise, to describe, designate, or refer to any fabric or product which is not woven or manufactured by the American Indian.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4374; Filed, June 18, 1941; 11:50 a. m.]

¹ 5 F.R. 4102.

TITLE 30—MINERAL RESOURCES
CHAPTER III—BITUMINOUS COAL
DIVISION

[Docket No. A-937]

PART 321—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF AND
CONDITIONALLY PROVIDING FOR FINAL RE-
LIEF IN THE MATTER OF THE PETITION OF
DISTRICT BOARD 1 FOR THE ESTABLISHMENT
OF PRICE CLASSIFICATIONS AND MINIMUM
PRICES FOR THE COALS OF CERTAIN MINES
IN DISTRICT NO. 1 NOT HERETOFORE CLAS-
SIFIED AND PRICED

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1 not heretofore classified and priced; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-

entitled matter; and

The Director deeming his action nec-

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these Supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Sub-dist. No.	Seam	Freight origin group No.	1	2	3	4	5
1006	Albert, Frank W. (Albert Stripping Mine)	Albert Stripping	8	B	44	(t)	(t)	(t)	D	D
720	Appalachia Coal Co.	Appalachia #2	23	B	81	G	G	G	H	H
729	Bloss, G. C.	Bloss	6	B	119	(t)	(t)	(t)	F	(t)

§ 321.7 Alphabetical list of code members—Supplement R—Continued

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Sub-dist. No.	Seam	Freight origin group No.	1	2	3	4	5
2796	Cornely, Mrs. A. J.	Cornely	26	B	58	(t)	(t)	(t)	(t)	(t)
2798	Desmond & Rauch Coal Co. (William F. Desmond)	Desmond & Rauch	3	B	49	(t)	(t)	(t)	(t)	(t)
731	Evans Coal Co. (B. D. Evans)	Conner	4	B	30	G	G	G	H	H
1383	Forberg, Theodore	Forberg	6	D	50	(t)	(t)	(t)	(t)	(t)
1471	Handel & Son, Wm.	Handel	36	E	100	(t)	(t)	(t)	(t)	(t)
730	Heater, Jesse W.	Heater	3	B	49	(t)	(t)	(t)	(t)	(t)
2330	Jones, C. M.	Jones	21	A	41	(t)	(t)	(t)	(t)	(t)
1817	Mulson, Joseph E.	Mulson House Coal	44	E	68	(t)	(t)	(t)	(t)	(t)
735	New Hope Coal Co., Inc., c/o Mrs. Tenace Gill	Eddy #2	29	B	49	(t)	(t)	(t)	(t)	(t)
733	Page Coal Co. (Walter Page)	Page #1	4	C	30	(t)	(t)	(t)	(t)	(t)
3108	Smith, Mortimer & Hills (Kenneth L. Smith)	Hills	7	D	62	(t)	(t)	(t)	(t)	(t)
2636	Snyder Mine (Willard Brown)	Snyder	4	E	75	(t)	(t)	(t)	(t)	(t)
736	Wallwork Coal Company (J. C. Wallwork)	Hawthorne #4	4	E	240	(t)	(t)	(t)	(t)	(t)

*Indicates no classification effective for these size groups.

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

Code member index	Mine index No.	Mine	Sub-dist. No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and over	Run of mine mod. under	Run of mine mod. under	1/4" and under slack
Albert, Frank W. (Albert Stripping Mine)	1006	Albert stripping	8	Clearfield	B	327	302	302	302	220
Bloss, G. C.	729	Bloss	6	Jefferson	B	327	302	302	302	220
Boyer, W. M.	3131	Boyer	3	Jefferson	B	327	302	302	302	220
Evans Coal Co. (B. D. Evans)	731	Conner	4	Jefferson	B	327	302	302	302	220
Handel & Son, Wm.	1471	Handel	36	Jefferson	B	327	302	302	302	220
Heater, Jesse W.	2330	Heater	3	Jefferson	B	327	302	302	302	220
Jones, C. M.	1817	Jones	21	Jefferson	B	327	302	302	302	220
Mulson, Joseph E.	1817	Mulson House Coal	44	Jefferson	B	327	302	302	302	220
New Hope Coal Co., Inc., c/o Mrs. Tenace Gill	735	Eddy #2	29	Jefferson	B	327	302	302	302	220
Page Coal Co. (Walter Page)	733	Page #1	4	Jefferson	B	327	302	302	302	220
Smith, Mortimer & Hills (Kenneth L. Smith)	3108	Hills	7	Jefferson	B	327	302	302	302	220
Snyder Mine (Willard Brown)	2636	Snyder	4	Jefferson	B	327	302	302	302	220
Wallwork Coal Company (J. C. Wallwork)	736	Hawthorne #4	4	Jefferson	B	327	302	302	302	220

*Indicates coal in this size group previously classified and priced.

[F. R. Doc. 41-4339, Filed, June 17, 1941; 10:08 a. m.]

[Docket Nos. A-138, A-168, A-231, A-321, A-139, A-169, A-232, A-322, A-140, A-175, A-176, A-234, A-323, A-142, A-187, A-235, A-324, A-143, A-197, A-236, A-325, A-144, A-186, A-237, A-326, A-145, A-199, A-238, A-327, A-149, A-200, A-255, A-328, A-155, A-201, A-269, A-329, A-156, A-202, A-270, A-334, A-157, A-203, A-271, A-167, A-204, A-320.]

PART 323—MINIMUM PRICE SCHEDULE DISTRICT NO. 3

ORDER OF THE DIRECTOR APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE EXAMINER: AND GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITIONS OF DISTRICT BOARD 3 AND CERTAIN INDIVIDUAL CODE MEMBER PRODUCERS IN DISTRICT NO. 3 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 3 NOT HERETOFORE CLASSIFIED AND PRICED

Original petitions pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 having been duly filed with the Bituminous Coal Division on sundry dates

between October 10 and November 7, 1940, by District Board 3 and forty-two code members in District 3, proposing and seeking the establishment of price classifications and minimum prices for the coals of producers not theretofore classified and priced, and by District Board 3 for revision of the prices for the coals of certain truck mines in District 3 heretofore classified and priced in General Docket Nos. 15 and 15-A; and

A hearing having been held before a duly designated Examiner of the Division at a hearing room of the Division, The Willard Hotel, Washington, D. C., on December 2 and 3, 1940; and

The Examiner having made Proposed Findings of Fact and Conclusions of Law in this matter, dated April 8, 1941, and having recommended that an order be entered establishing the classifications and minimum prices set forth in Supplements No. 3 annexed to his Report and likewise annexed hereto and made a part hereof, as the effective classifications and minimum prices for the coals involved; and

ment No. 3 designated as Schedule R-III, § 323.8 (Special prices)—(b) Railroad fuel prices for all movements except via lakes is amended by adding thereto that portion of Supplement No. 3 designated as Schedule R-IV, § 323.8 (Special prices)—(c) Railroad fuel prices for movement via all lakes—all parts is amended by adding thereto that portion of Supplement No. 3 designated as Schedule R-V, § 323.23 (General prices) is amended by adding thereto that portion of Supplement No. 3 designated as Schedule T, and the price classifications and minimum prices listed in the said Supplement No. 3, hereinafter set forth and made a part hereof, be and the same are hereby established, from and after the date hereof, as the effective minimum prices for the coals specified therein.

Dated: May 29, 1941.

[SEAL] H. A. GRAY,
Director.

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these Supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and Supplements thereto.

§ 323.6 Alphabetical list of code members—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Seam	Freight origin group No.	Size group Nos.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
503	Allawatt, Michael	Old Harbor	Pittsburgh	60	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F

§ 323.6 Alphabetical list of code members—Supplement R-I—Continued

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group Nos.]

Mine index No.	Code member	Mine name	Seam	Freight origin group No.	Size group Nos.															
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
707	Poland, Mrs. Geo. A.	Mary Lee Stevens	Sewickley	62	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
177	Quinn, John H.	Richwood No. 1	Pittsburgh	60	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
522	Richwood Coal Mining Co. (P. L. Blake)	Richwood No. 1	Pittsburgh	10	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
976	Scotch, Mike, Jr.	Scotch	Pittsburgh	61	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
910	Shaffer, R. S.	Shaffer	Pittsburgh	71	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
169	Shay Coal Co., Inc.	Shay No. 2	M. V. Freepport	71	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
170	Shay Coal Co., Inc.	Shay No. 3	M. V. Freepport	33	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
945	Shavers Mountain Coal Co.	Shavers	Sewell	10	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
945	Smith, Ben	Smith	H. V. Kittanning	60	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
909	Snider, John W.	Snider	Pittsburgh	61	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
941	Stevens, O. W. & Sons (O. W. Stevens)	Beech Hill	Pittsburgh	61	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
945	Stoney Ridge Coal Co. (C. I. Borgman)	Stoney Ridge	M. V. Freepport	72	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
942	Tano, Fred	Janes	Pittsburgh	61	J	G	J	J	J	J	J	J	J	J	J	J	J	J	J	J
812	Tango Coal Corporation, c/o Thos. F. Rees	Tango No. 1	No. 5 Block*	11	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
173	Triplett, Mike	Clelland	Pittsburgh	50	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
937	Triplett, Mike	Delphi	Pittsburgh	61	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
954	Vincent, G. J.	Vincent	Pittsburgh	61	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F
185	Warnick, Garner R.	Saltwell	Pittsburgh	61	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F

*Indicates a change has been made in original F. O. B. mine price.

§ 323.7 General prices—Supplement R-II

All mines in Freight Origin Group No. 11, should take the same necessary or permissible adjustments as Freight Origin Group No. 10.

All mines in Freight Origin Group No. 35, for shipments into Market Areas 1, 2, 3, 100 and Tidewater, may deduct 13 cents per net ton from f. o. b. mine prices.

All mines in Freight Origin Group No. 35, for shipments into Market Area 10, will take the same necessary or permissible adjustments as Freight Origin Groups 30, 31, 32 etc.

All mines in Freight Origin Group No. 35, for shipments into Market Area 11, will take the same necessary or permissible adjustments as Freight Origin Groups 30, 31, 32 etc.

Classification:	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240
A.....	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235
D.....	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235

From: Freight Origin Group No. 10 To: market area 3—should be changed to read as follows:

Classification:	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240
A.....	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235
D.....	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235

From: Freight Origin Group Nos. 10 and 11:

Classification:	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240
A.....	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235
D.....	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235	235

§ 323.8 Special prices—(c) Bunker fuel—tidewater—Supplement R-III
All mines in Freight Origin Group No. 35, for shipments of Bunker Fuel—Tidewater, will take the same necessary or permissible adjustments as Freight Origin Groups 20, 25, 30 etc.

§ 323.8 Special prices—(c) Railroad fuel prices for movement via all lakes—all ports—Supplement R-V
For railroad fuel prices, add these mine index numbers to the respective groups set forth in § 323.8 (c), Minimum Price Schedule for District No. 3. Group No. 1: 128, 160, 174, 176, 177, 181, 182, 185, 503, 546, 585, 614, 634, 661, 696, 812, 850, 869, 910, 928, 936, 937, 941, 954, 969, 976, 999. Group No. 2: 126, 178, 798, 976, 999. Group No. 3: 169, 170, 171, 590, 597, 948. Group No. 4: 707. Group No. 5: 173, 180, 522, 945. Group No. 6: 168, 172, 179, 558.

§ 323.8 Special prices—(b) Railroad fuel prices for all movements except via lakes—Supplement R-IV
For railroad fuel prices, add these mine index numbers to the respective groups set forth in § 323.8 (b), Minimum Price Schedule for District No. 3. Group No. 1: 128, 160, 174, 176, 177, 181, 182 (a), 185, 503, 546 (a), 585 (a), 614 (a), 634, 661, 696 (a), 812, 850, 869, 910, 928, 936, 937, 941, 954, 969, 976, 999. Group No. 2: 126, 178, 798. Group No. 3: 169, 170, 171, 590, 597, 948. Group No. 4: 707. Group No. 5: 173, 180, 522, 945. Group No. 6: 168, 172, 179, 558.

& 323.23 General prices—Supplement T—Continued

[Prices in cents per net ton for shipment into all market areas]

[illegible]

FOR TRUCK SHIPMENTS

§ 323.23 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Seam	County	Size groups						
Mine Index No.	Mine	Seam	County	Lump over 2", egg under 2"	Lump 2", egg 2", bottom size, but over 1 1/4"	Lump 1 1/4" and under, egg 1 1/4" and under, bottom size	All out and pea, 2"	Run of mine, 2 1/2" and over 2"	1 1/4" and 2" slack	3/4" slack
Adkinson, H. O.	Adkinson	Sewell	Webster*	223	248	225	228	223	213	160
Antolini Coal Co.	Antolini Mine	H. V. Kitt	Randolph*	208	243	223	203	178	168	168
Arnold, W. J.	Arnold	Redstone	Barbour	223	218	218	218	183	178	168
Arnold, Woodrow	Arnold's	Redstone	Upshur	223	218	218	218	183	178	168
Arthurdale Fuel Co.	Peacock	Bakerstown	Preston	225	235	235	235	210	200	190
Arthur-Richter Coal Corp.	Richter	Redstone	Harrison	223	218	218	218	183	178	168
Armstrong, Virgil E.	Laurel Run	H. V. Kitt	Taylor	225	225	225	225	200	200	180
Baker, A. L.	Morgan, S. D.	Pittsburgh	Marion	223	218	218	218	183	178	168
B. & C. Smokeless Coal Co. (Joe Blines)	Darby	Sewell	Randolph*	223	248	248	248	223	213	163
Baker, James	Bugh	Sewickley	Marion*	208	243	203	203	178	163	163
Baker, Joseph H.	Baker	Coalburg	Nichols*	203	248	248	248	223	213	163
Beaumont Coal Company (J. A. Lake)	Wilson	Bakerstown	Barbour*	218	218	213	213	188	178	163
Bolton, Norman T.	Fisher	Redstone	Lewis	223	218	218	218	183	178	168
Guardian Coal Company	Guardian #2	Eagle	Webster*	223	248	248	248	223	213	163
Bolton, Norman T.	Guardian #3	Peerless	Webster*	243	246	246	246	223	213	163
Boles, Norman T.	Guardian #4	Sewell	Webster*	223	248	248	248	223	213	163
Boles, Norman T.	No. 1	Pittsburgh	Marion	223	218	218	218	183	178	168
Booth Creek Coal Co. (Melvin Decker)	Monitor #3	M. V. Freepit	Preston	225	225	225	225	200	200	180
Borgman, L. H. & J. W. Inc.	Boyles	H. V. Kitt	Barbour*	208	303	303	303	178	168	168
Boyles, Clifford	Nutter #2	H. V. Freepit	Barbour	223	218	218	218	183	178	168
Boyles, Ray	Brady	H. V. Kitt	Randolph*	208	203	203	203	178	168	168
Brady, A. Spates	Brake	Redstone	Upshur	223	218	218	218	183	178	168
Brake, J. A.	A. V. Post	Redstone	Upshur	223	218	218	218	183	178	168
Brinkley, F. A.	Britton Mine	Sewell	Webster*	223	248	248	248	223	213	163
Bruton Coal Company	Braxton	Waynesburg	Marion	208	248	248	248	223	213	163
Brown, Arlie Cleon	Fisher	Sewell	Webster*	223	248	248	248	223	213	163
Brooks, Frank	Burdess	Pittsburgh	Marion	223	218	218	218	183	178	168
Burness & Collins (Wm. Burdess)	Homor	Elk Lick	Lewis	223	218	218	218	183	178	168
Bowyer, H. H.	Chaffin	Peerless	Webster*	223	248	248	248	223	213	163
Campbell, Eugene I.	Campbell	Peerless	Nichols*	223	248	248	248	223	213	163
Cardinal Sewell Mining Co.	Cardinal	Sewell	Randolph*	253	248	248	248	223	213	163
Cather, F. B. (Cather Coal Co.)	Diamond #2	Pittsburgh	Taylor	223	218	218	218	183	178	168
Caster, Fred W.	Castel	Bakerstown	Preston	225	225	225	225	210	200	190
Cattelle, R. C.	Crown	Coalburg	Nichols*	223	243	243	243	223	213	163
Ceruleo, A.	Ceruleo	Pittsburgh	Harrison	223	218	218	218	183	178	168
Chadler, S. C.	Mason	Mason	Monongalia*	223	218	218	218	183	178	168
Chadler, Charles O.	Martin	Sewickley	Monongalia*	208	203	203	203	178	163	153
Chisler & Chisler (Charles O. Chisler)	Chisler	Waynesburg	Monongalia*	208	203	203	203	178	163	153
Clark, John A., Jr.	Junior	Pittsburgh	Marion	223	218	218	218	183	178	168
Clark, John A., Jr.	Junior Clark	Pittsburgh	Marion	223	218	218	218	183	178	168
Coakley, William	Anderson	Sewell	Webster*	253	248	248	248	223	213	163
Coakley, William	Big Turn	Sewell	Webster*	253	248	248	248	223	213	163
Coatman, L. W.	Coatman	Eagle	Webster*	253	248	248	248	223	213	163
Coatman, Robert F.	Coatman	Sewell	Webster*	253	248	248	248	223	213	163
Cogear, R. S.	Cogear	Bakerstown	Braxton	218	213	213	213	188	178	163
Conner, Bruce W.	Conner Mine	H. V. Kitt	Randolph*	208	203	203	203	178	163	153

\$ 323.23 General prices—Supplement T—Continued

Prices in cents per net ton for shipment into all market areas!

Code member index	Mine Index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg 1 1/4"	Lump 2", egg 2", bot- tom size, but over 1 1/4"	Lump 1 1/4" and un- der, egg 1 1/4"	All out and pea, 2"	Run of mine, result- ant over 2"	1 1/4" and 2" slack	3/4" slack
Lynch, Rester & T. J. Marks (T. J. Marks).	957	Marks.....	Pittsburgh	Gilmer.....	223	218	218	193	193	178	168
Lyons, W. T.	1008	Lyons.....	Pittsburgh	Monon*	223	218	218	193	193	178	168
Malcomb, J. C. (M. R. Malone).	1007	Hess.....	Redstone	Upshur.....	223	218	218	193	193	178	168
R. Mangino, Philip	1025	Meriden #3.....	H. V. Kitt	Barbour.....	208	203	203	178	178	168	158
Martin, A. H.	974	Consol. #63 (S. D.).	Pittsburgh	Marion.....	223	218	218	193	193	178	168
Matheny, Lee	971	Audra.....	Redstone	Upshur.....	223	218	218	193	193	178	168
Maye, Wallace H.	997	Baldwin.....	Casburg	Nicholas*	223	218	218	193	193	178	168
McCarthy, Spencer	1022	Harley.....	Pittsburgh	Taylor.....	223	218	218	193	193	178	168
McClung, H. J.	675	Wilde Branch.....	Pittsburgh	Monon.....	223	218	218	193	193	178	168
McCourt, R. J.	676	No. Branch.....	Eagle	Nicholas*	253	248	248	223	223	213	193
McCray, Robert	943	McCourt.....	Sewell	Webster*	253	248	248	223	223	213	193
McDonald, Frank H.	963	McCoy.....	Elk Lick	Lewis.....	223	218	218	193	193	178	168
McKenna Coal Com- pany.	101	McDonald.....	Pittsburgh	Harrison.....	223	218	218	193	193	178	168
McIntyre, Charles R. Jr.	1092	Mary.....	Sewickley	Monon*	208	203	203	178	178	163	153
Michael, James	1032	Martin Bros.....	Pittsburgh	Harrison.....	223	218	218	193	193	178	168
Miller, Howard	1091	Michael.....	Pittsburgh	Harrison.....	223	218	218	193	193	178	168
Miller, H. P. (Miller Coal Co.)	956	Preston.....	M. V. Freeport	Preston.....	223	225	225	200	200	190	180
Miller, L. V.	902	Miller.....	Sewell	Webster*	253	248	248	223	223	213	193
Miller & Byers (Lind- say Miller),	906	Gregory.....	Mason.....	Ritchie.....	223	218	218	193	193	178	168
Minnds Coal Mining Corp., The	65	Golden Ridge #6.....	Sewell	Randolph*	253	248	248	223	223	213	193
Moffatt, Roy	685	Gadd #2.....	Sewell	Webster*	253	248	248	223	223	213	193
Metzger, Junior	1087	Tom Run.....	Elk Lick	Lewis.....	223	218	218	193	193	178	168
Mollahan, W. P.	686	Elkview #1.....	Sewell	Webster.....	253	248	248	223	223	213	193
Morgan, Joe	943	Joe Morgan.....	Pittsburgh	Marion.....	223	218	218	193	193	178	168
Moss, Carl	903	Laurel Lick.....	Redstone	Lewis.....	223	218	218	193	193	178	168
Mullins, W. T.	694	Pertinger.....	Sewell	Nicholas*	253	248	248	223	223	213	193
Murphy, W. L.	695	Hendon.....	Bakerstown	Braxton.....	218	213	218	188	188	173	168
Myers, O. C.	1090	Jamison #9 (S. D.).	Pittsburgh	Marion.....	223	218	218	193	193	178	168
Morrell, H. L. (Morrell Coal Co.).	691	Marion.....	H. V. Kitt	Barbour *	208	203	203	178	178	168	158
Miller & Son, Ona (Dana Miller).	682	Miller.....	H. V. Kitt	Marion *	208	203	203	178	178	168	158
Miller, T. L.	996	Buttermilk.....	Pittsburgh	Marion.....	223	218	218	193	193	178	168
Neal, J. A.	1089	Delphia.....	Sewell	Nicholas*	253	248	248	223	223	213	193
Oodell & Perkins Kins.	905	Oreal & Per- kins.....	Coalburg	Nicholas*	253	248	248	223	223	213	193
Oliverio, Tony	969	Heaven #2.....	Pittsburgh	Harrison.....	223	218	218	193	193	178	168
Ours & Mason.....	1038	Ours.....	H. V. Kitt	Upshur *	208	203	203	178	178	168	158
Pardee & Curtin Lum- ber Co.	18	Bergoo #1.....	Sewell	Webster *	253	248	248	223	223	213	193
Pardee & Curtin Lum- ber Co.	16	Bergoo #2.....	Sewell	Webster *	253	248	248	223	223	213	193
Pardee & Curtin Lum- ber Co.	17	Bergoo #3-A.....	Sewell	Webster *	253	248	248	223	223	213	193
Pardee & Curtin Lum- ber Co.	18	Bergoo #4.....	Sewell	Webster *	253	248	248	223	223	213	193
Parker, McCord, Jones & Carr, (Dee Parker).	1024	Lynch.....	Waynesburg	Monongalia *	208	203	203	178	178	163	153
Perkins, Ray	1029	Baker.....	Pittsburgh	Braxton.....	223	218	218	193	193	178	168
Phillips & Furman (A. W. Furman).	981	Ross Wade.....	Waynesburg	Monon.*	208	203	203	178	178	163	153
Pinnell, J. R.	905	Shinn Run.....	Pittsburgh	Harrison.....	223	218	218	193	193	178	168
Plumlee, Gustin.	706	Plyme.....	H. V. Kitt	Webster.....	208	203	203	178	178	168	158

323.23 *General prices—Supplement T—Continued*

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine Index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg 2", bot- tom size, but over	Lump 1 1/2" and un- der, egg 1 1/2" and over	All nut and pec, 2"	Run of mine, result- ant over 2"	1 1/2" and 2" slack	3/4" slack	
					1	2	3	4	5	6	7
	1085	Hamilton	Waynesburg	Marion*	208	203	203	178	178	163	153
	1086	Hamrick	Pittsburgh	Monon	223	218	218	193	193	178	168
	1087	Harbert	Pittsburgh	Harrison	208	218	218	193	193	178	168
	1088	Harding Coal Co.	H. V. Kitt	Randolph*	208	203	203	178	178	168	158
	619	J. F. Haring	Waynesburg	Monon*	208	203	203	178	178	163	153
	620	Hollister	Cottburgh	Webster*	253	248	248	223	223	213	193
	621	Harkess, S. J.	Gilmer	Gilmer	253	218	218	193	193	178	168
	622	Harper, J. P.	Ion Tee #3.	Braxton*	223	213	213	188	188	173	163
	623	Harris, G. R.	Bakerstown	Braxton*	218	213	213	188	188	173	163
	624	Harris, Karl D.	Bakerstown	Braxton*	218	213	213	188	188	173	163
	625	Hart, French	Sewickley	Monon*	248	248	248	203	178	163	153
	626	Harvey, J. Roy	Redstone	Upshur	223	218	218	193	193	178	168
	627	Harvey & Ward	Redstone	Lewis	223	218	218	193	193	178	168
	628	Harvey & Ward	Redstone	Lewis	223	218	218	193	193	178	168
	629	Henderson, Glenn D.	Waynesburg	Monon*	208	203	203	178	178	163	153
	630	Hess, J. J.	Sewickley	Monon*	208	203	203	178	178	163	153
	631	Hess, Walter	Sewickley	Monon*	208	203	203	178	178	163	153
	632	Hiescht, Glenn	Naeton	Pleasant*	223	218	218	193	193	178	168
	633	Hines, H. J.	No. 5 Block	Webster	248	238	238	203	203	183	173
	634	Hinkle & Sons Coal Co., O. W.	Eagle	Nicholas*	253	248	248	223	223	213	193
	635	Holcomb, A. B.	Eagle	Nicholas*	253	248	248	223	223	213	193
	636	Hollandsworth & Boyce	Clarian	Braxton	223	218	218	193	193	178	168
	637	Holmes, W. W. (How- ard and Coal Co.)	Pittsburgh	Monon	223	218	218	193	193	178	168
	638	Howard, W. W. (How- ard and Coal Co.)	Eagle	Randolph*	253	248	248	223	223	213	193
	639	Howe, D. H.	Waynesburg	Marion*	208	203	203	178	178	163	153
	640	Hudson, Rezin B.	Pittsburgh	Harrison	223	218	218	193	193	178	168
	641	Huffman, Glen	H. V. Kitt	Upshur*	208	203	203	178	178	163	153
	642	Hy-Fuse Coal Corp., E. E. Maceonnet	Bakerstown	Preston	235	235	235	210	210	200	190
	643	Hy-Fuse Coal Corp., E. E. Maceonnet	Reestone	Monon*	223	218	218	193	193	178	168
	644	Johnson Coal Co. (M. T. Johnson)	Waynesburg	Marion*	208	203	203	178	178	163	153
	645	Jones, Charles E.	H. V. Kitt	Barbour*	208	203	203	178	178	163	153
	646	Jones, Jed C.	Sewell	Webster*	253	248	248	223	223	213	193
	647	Jones & Fough	Redstone	Upshur	223	218	218	193	193	178	168
	648	Karrickhoff, T. W.	Pittsburgh	Harrison	223	218	218	193	193	178	168
	649	Katherine Coal Mfg. Co.	Pittsburgh	Harrison	223	218	218	193	193	178	168
	650	Keister, Harry	Pittsburgh	Harrison	223	218	218	193	193	178	168
	651	Kelly & Son Coal Co. (J. C. Kelly)	H. V. Kitt	Barbour*	208	203	203	178	178	168	158
	652	Ketchum, Thurman	Pittsburgh	Barbour	223	218	218	193	193	178	168
	653	King, John	Waynesburg	Monon*	208	203	203	178	178	163	153
	654	Kinsley, Samuel A.	Waynesburg	Monon*	208	203	203	178	178	163	153
	1082	Kinsley, Samuel A.	Pittsburgh	Monon	208	218	218	193	193	178	168
	1083	Kinty, Fred	Waynesburg	Monon	208	218	218	193	193	178	168
	1084	Lausam, W. L.	Pittsburgh	Monon	223	218	218	193	193	178	168
	1085	Laraw, W. C.	Sewell	Randolph*	208	248	248	223	223	213	193
	1086	Leach, Blaine	H. V. Kitt	Randolph*	208	248	248	223	223	213	193
	1087	Leach, Blaine	Pittsburgh	Monon*	208	248	248	223	223	213	193
	1088	Lenkey, Harmon A.	Pittsburgh	Monon*	223	218	218	193	193	178	168
	1089	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	924	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	925	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	926	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	927	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	928	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	929	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	930	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	931	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	932	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	933	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	934	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	935	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	936	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	937	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	938	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	939	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	940	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	941	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	942	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	943	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	944	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	945	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	946	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	947	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	948	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	949	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	950	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	951	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	952	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	953	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	954	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	955	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	956	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	957	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	958	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	959	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	960	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	961	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	962	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	963	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	964	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	965	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	966	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	967	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	968	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	969	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	970	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	971	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	972	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	973	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	974	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	975	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	976	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	977	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	978	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	979	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	980	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	981	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	982	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	983	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	984	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	985	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	986	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	987	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	988	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	989	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	990	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	991	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	992	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	993	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	994	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	995	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	168
	996	Light Coal Co. (Sterile Light)	H. V. Kitt	Upshur*	208	218	218	193	193	178	

§ 323.23 General prices—Supplement T—Continued

(Prices in cents per net ton for shipment into all market areas)

Code member index	Mine Index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg 2", bot- tom size, but over	Lump 1 1/2" and un- der, egg 1 1/2" and bot- tom size, but over	All nut and pea, 2" and under	Run of mine, result- ant over 2"	1 1/4" and 2" slack	3/4" slack	
Poland, George A. (Mrs.)	707	Mary Lee Stevens	Sewickley	Monon*	208	203	203	178	178	163	153
Proodfoot & Coffman (Frank Proodfoot)	709	Proodfoot & Coffman	Sewell	Randolph*	253	248	248	223	223	213	193
Pumphrey, G. T.	1054	Pumphrey	Redstone	Upshur	223	218	218	193	183	178	168
Purglove Coal Mining Co., The	120	Purglove #2	Sewickley	Monon*	208	203	203	178	178	163	153
Pyles, Lewis	928	Jamison #8 (S. D.)	Pittsburgh	Marion	223	218	218	193	193	178	168
Quinn, R. J.	911	Quinn	Sewell	Upshur*	253	248	248	223	223	213	193
Quinn, John H.	177	Quinn	Pittsburgh	Harrison	223	218	218	193	193	178	168
Reda & Spino Coal Co.	712	Reda & Spino	Sewell	Randolph*	253	248	248	223	223	213	193
Red Oak Smokeless Coal Co.	124	Red Oak #1	Sewell	Webster*	253	248	248	223	223	213	193
Reed Bros. Coal Co.	900	Freeman	Pittsburgh	Harrison	223	218	218	193	193	178	168
Reilly-McArdle Coal Co.	123	Randall	Redstone	Monon*	223	218	218	193	193	178	168
Reynolds, W. A.	715	Fitzwater	No. 2 Gas	Nicholas*	253	248	248	223	223	213	193
Richards, Goff	975	Richards #32 (S. D.)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Riddle, Wayne	1082	Riddle	Pittsburgh	Harrison	223	218	218	193	193	178	168
Ridenour, John	928	Wolfe	M. V. Freeport	Upshur	223	218	218	193	193	178	168
Richwood Mining Co.	523	Richwood #1	Sewell	Nicholas*	253	248	248	223	223	213	193
Roberts & Calhoun Coal Co.	900	Shriver	Redstone	Upshur	223	218	218	193	193	178	168
Rot, Frank	950	Rot	Sewickley	Marion	208	203	203	178	178	163	153
Rowan, D. H. & Sons	923	Rowan #2	Redstone	Barbour	223	218	218	193	193	178	168
Rowan, D. H. & Sons	722	Rowan's	H. V. Kitt	Randolph*	208	203	203	178	178	163	153
Roy, E. & Sons	723	Alpena	Sewell	Randolph*	253	248	248	223	223	213	193
Russell, J. B.	939	Russell	H. V. Freeport	Upshur	223	218	218	193	193	178	168
Rutherford & Bright (Earl Rutherford)	984	Waldo #1	Pittsburgh	Harrison	223	218	218	193	193	178	168
Savage, John M.	894	Savage	M. V. Freeport	Preston	223	218	218	193	193	178	168
Saxman Coal & Coke Co., The	134	Saxman #3	Sewell	Nicholas*	253	248	248	223	223	213	193
Saxman Coal & Coke Co., The	135	Saxman #4	Sewell	Nicholas*	253	248	248	223	223	213	193
Scotch, Make, Jr.	976	Scotch	Pittsburgh	Harrison	223	218	218	193	193	178	168
Shaffer, Frank	1008	Shaffer	Bakerstown	Preston	233	228	228	203	203	188	173
Shaffer, R. B.	982	Shaffer	Bakerstown	Preston	233	228	228	203	203	188	173
Shaffer, R. B.	982	Shaffer	Pittsburgh	Harrison	233	228	228	203	203	188	173
Shaffer, W. M.	973	Shaffer	Sewickley	Marion	233	228	228	203	203	188	173
Shelton Bros. Coal Co.	1015	Shelton	M. V. Freeport	Preston	223	218	218	193	193	178	168
Shelton, J. S. (Shelton)	924	Shelton	Pittsburgh	Taylor	223	218	218	193	193	178	168
Shirley, H. P.	734	Shannon	H. V. Kitt	Randolph*	208	203	203	178	178	163	153
Shirley, John (Shan- non Coal Co.)	945	Coberly	Sewell	Randolph*	253	248	248	223	223	213	193
Shirley Mountain Coal Co.	109	Shay #2	M. V. Freeport	Preston	223	218	218	193	193	178	168
Shay Coal Co., Inc.	170	Shay #3	M. V. Freeport	Preston	223	218	218	193	193	178	168
Short, Herman	985	Short	Pittsburgh	Harrison	233	228	228	203	203	188	173
Shufflet, Gilbert	735	Shufflet	Sewell	Randolph*	253	248	248	223	223	213	193
Shriver, Sam	993	Shriver	H. V. Kitt	Upshur*	208	203	203	178	178	163	153
Shriver Coal Co.	993	Shriver	Sewickley	Monon*	208	203	203	178	178	163	153
Silverst Brothers	708	Silverst	H. V. Kitt	Randolph*	208	203	203	178	178	163	153
Simons & Wayne Coal Co. (French Sim- mons)	1018	Phillips	Pittsburgh	Braxton	223	218	218	193	193	178	168
Smith, J. A.	740	Chapel	Bakerstown	Barbour*	218	213	213	188	188	173	163
Smith, Ben	600	Foster	H. V. Kitt	Webster*	208	203	203	178	178	163	153
Smith, Carl, Jr.	1040	Smith	Redstone	Harrison	223	218	218	193	193	178	168

§ 323.23 General prices—Supplement T—Continued

(Prices in cents per net ton for shipment into all market areas)

Code member index	Mine Index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg 2", bot- tom size, but over	Lump 1 1/2" and un- der, egg 1 1/2" and bot- tom size, but over	All nut and pea, 2" and under	Run of mine, result- ant over 2"	1 1/4" and 2" slack	3/4" slack	
Smith, Charley	995	Smith	Elk Lick	Lewis	223	218	218	193	193	178	168
Smith, Late Co.	1056	Smith	Redstone	Harrison	223	218	218	193	193	178	168
Smith, Wm. E.	1026	Smith	Pittsburgh	Marion	223	218	218	193	193	178	168
Snobberger, Mark	845	Ida Swint	Peebles	Randolph*	253	248	248	223	223	213	193
Snider, John W.	869	Snider	Pittsburgh	Taylor	223	218	218	193	193	178	168
Snider, Frank	934	Farnsworth	Pittsburgh	Gilmer	223	218	218	193	193	178	168
Stannard, George E.	847	Bowers	Waynesburg	Monon*	208	203	203	178	178	163	153
Stark, Arsel	917	Argel	Pittsburgh	Monon*	208	203	203	178	178	163	153
Stark, William	1013	Wm. Stark	Pittsburgh	Harrison	223	218	218	193	193	178	168
Starr, J. H.	749	Rich Min	Sewell	Randolph*	253	248	248	223	223	213	193
Stevens, M. F. & Sons (O. W. Stevens)	922	Stevens	Mason	Ritchie	223	218	218	193	193	178	168
Stewart, Joseph (Stew- art Coal Co.)	941	Beech Hill	Pittsburgh	Harrison	223	218	218	193	193	178	168
Stoney Ridge Coal Co.	752	Clark-Wade	Waynesburg	Monon*	208	203	203	178	178	163	153
Swiger, Carl	948	Swiger	M. V. Freeport	Preston	223	218	218	193	193	178	168
Systo, Tony	833	Systo	Pittsburgh	Harrison	223	218	218	193	193	178	168
Talbert, Russell	1066	Higgenbottom	Pittsburgh	Harrison	223	218	218	193	193	178	168
Talbot, W. A.	762	Talbot	H. V. Kitt	Webster*	208	203	203	178	178	163	153
Talbot, W. A.	923	Talbot	Pittsburgh	Lewis	223	218	218	193	193	178	168
Talbot, W. A.	1049	Jamison #9 (S. D.)	Pittsburgh	Marion	223	218	218	193	193	178	168
Taney, F. I.	926	Taney	H. V. Freeport	Upshur	223	218	218	193	193	178	168
Taney, Lloyd	849	Taney	H. V. Kitt	Upshur	223	218	218	193	193	178	168
Taney, Lloyd	1078	H. W.	Sewickley	Marion*	208	203	203	178	178	163	153
Thompson, J. P.	1005	Consol. #23 (S. D.)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Thorne, Curtis	1083	Bogges	Sewickley	Marion*	208	203	203	178	178	163	153
Tiege Coal Corporation	173	Tiege #1	No. 3 Block	Nicholas	248	238	238	203	203	183	173
Thos. F. Ross	974	Consol. #86 (S. D.)	Pittsburgh	Marion	223	218	218	193	193	178	168
Tomer, J. D.	34	Cassidy	Sewell	Randolph*	253	248	248	223	223	213	193
Three Fork Coal Com- pany	766	Scott Open Inc.	Sewell	Randolph*	253	248	248	223	223	213	193
Tidd & Morrison (R. B. Morrison)	768	Tonkin	H. V. Kitt	Braxton*	208	203	203	178	178	163	153
Tonkin, Carl	769	Hickman	Bakerstown	Braxton*	208	203	203	178	178	163	153
Tonkins, E. F.	769	Townsend's	Webster*	Webster*	253	248	248	223	223	213	193
Tracy, Virgil M. & Cool, Jr. (Virgil M. Tracy)	950	H. A. n o c k Bank	Sewell	Webster*	253	248	248	223	223	213	193
Tremblay, Harry	972	Tremblay	Pittsburgh	Gilmer	223	218	218	193	193	178	168
Triplet, Mike	967	Triplet	Coalburr	Harrison	223	218	218	193	193	178	168
Tyler, G. E.	940	Uriso Bros.	Pittsburgh	Nicholas*	223	218	218	193	193	178	168
Uriso Bros. (John Uriso)	774	Bogsworth	H. V. Kitt	Barbour*	208	203	203	178	178	163	153
Uriso, Ray	951	Uriso	Pittsburgh	Harrison	223	218	218	193	193	178	168
Walker, G. J.	984	Walker	M. V. Freeport	Preston	223	218	218	193	193	178	168
Walker, Ray	777	Ray Wade	Waynesburg	Monon*	208	203	203	178	178	163	153
Walker Coal Mining Company	19	916 Sewell #1	Sewell	Randolph*	253	248	248	223	223	213	193
Walker & Olson	102	Maxwell	H. V. Kitt	Randolph*	208	203	203	178	178	163	153
Walters, I. J.	989	Haring	Waynesburg	Monon*	208	203	203	178	178	163	153
Wansley, Leonard	1031	Wansley	H. V. Kitt	Upshur*	208	203	203	178	178	163	153
Ward, John B. Jr.	779	Tiege #2	Sewell	Nicholas*	253	248	248	223	223	213	193
Ward, John B. Jr.	780	Taylor Run	Sewell	Randolph*	253	248	248	223	223	213	193
Watson, R. A.	1000	Watson	Pittsburgh	Harrison	223	218	218	193	193	178	168
Waugh, E. G.	918	Waugh	Pittsburgh	Lewis	223	218	218	193	193	178	168

§ 323.23 General prices—Supplement T—Continued
 [Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg 1 1/2", bot- tom size, but over 1 1/2"	Lump 1 1/2" and un- der, egg 1 1/2" and un- der, bottom size 1 1/2"	All nut and under 1 1/2"	Run of mine, result- ant over 2"	1 1/2" and 2" slack	3/4" slack	7
Waugh Bros. (Claude Waugh)	833	Waugh Bros.	H. V. Kitt	Upshur*	208	203	203	178	178	168	158
Weaver, Dellet	927	Smell	Pittsburgh	Marion	223	218	218	193	193	178	168
Webster Sewell Coal Company	116	Paukelle	Sewell	Webster*	253	248	248	223	223	213	193
West, Thomas	1031	Vincent	Pittsburgh	Marion	223	218	218	193	193	178	168
West Virginia Coal & Coke Corporation	82	Junior	H. V. Kitt	Barbour*	208	203	203	178	178	168	158
West Virginia Coal & Coke Corporation	112	Norton	H. V. Kitt	Randolph*	208	203	203	178	178	168	158
Wiles, Okey L.	1103	Fairfax #2	Pittsburgh	Preston	233	228	228	203	203	193	183
Williams, C. Ray	908	Williams	Pittsburgh	Monon	223	218	218	193	193	178	168
Williams, Williams (Phil Williams)	786	Swamp Run	H. V. Kitt	Randolph*	208	203	203	178	178	168	158
Williams Phil Trustee (Phil Williams Coal Co.)	147	Williams	H. V. Kitt	Randolph*	208	203	203	178	178	168	158
Williamson, I. L.	970	Williamson	Pittsburgh	Harrison	223	218	218	193	193	178	168
Wilson, D. F. & Sons, Inc.	908	Wilson	Redstone	Harrison	223	218	218	193	193	178	168
Winemiller, N. P.	1027	Bailey	Redstone	Lewis	223	218	218	193	193	178	168
Wiseman, B. H.	788	Wiseman	Eagle	Nicholas*	253	248	248	223	223	213	193
Wise, J. A.	1088	Wise #1	Pittsburgh	Harrison	223	218	218	193	193	178	168
Wood, L. E.	988	Wood	Pittsburgh	Braxton	223	218	218	193	193	178	168
Yates, Homer	1011	Homer	Pittsburgh	Taylor	223	218	218	193	193	178	168
Yates, Homer	1010	Yates	Pittsburgh	Taylor	223	218	218	193	193	178	168
Young, Thomas & Sons (Sidney J. Young)	962	Young	No. 5 Block	Nicholas*	248	238	238	203	203	183	173
Zickelsoos, Minter J.	1050	Gladwell	H. V. Kitt	Upshur*	208	203	203	178	178	168	158
Zoell, Wm. L.	794	Wuchner	Sewell	Randolph*	203	203	203	178	178	168	158
Zoell, C. & Newhouse	1057	Coalton	H. V. Kitt	Randolph	208	203	203	178	178	168	158
Zulick & Dordill (H. D. Dordill)	795	Hart	Sewell	Randolph*	253	248	248	223	223	213	193

* Indicates a change has been made in original F. O. B. mine price.

[F. R. Doc. 41-4340; Filed, June 17, 1941; 10:08 a. m.]

[Docket No. A-880]

PART 328—MINIMUM PRICE SCHEDULE,
 DISTRICT NO. 8

ORDER GRANTING TEMPORARY RELIEF AND
 CONDITIONALLY PROVIDING FOR FINAL
 RELIEF IN THE MATTER OF THE PETITION
 OF DISTRICT BOARD 8 FOR THE ESTABLISH-
 MENT OF PRICE CLASSIFICATIONS AND
 MINIMUM PRICES FOR THE COALS OF CER-
 TAIN MINES IN DISTRICT NO. 8 NOT HERE-
 TOFORE CLASSIFIED AND PRICED

An original petition, pursuant to sec-
 tion 4 II (d) of the Bituminous Coal Act
 of 1937, having been duly filed with this
 Division by the above-named party, re-
 questing the establishment of price clas-
 sifications and minimum prices for the
 coals of certain mines in District No. 8
 not heretofore classified and priced; and
 The Director finding that a reasonable
 showing of necessity has been made for
 the granting of temporary relief in the
 manner hereinafter set forth; and

No petitions of intervention having
 been filed with this Division in the
 above-entitled matter; and
 The Director deeming his action neces-
 sary in order to effectuate the purposes
 of the Act:

It is ordered, That, pending final dis-
 position of the above-entitled matter,
 temporary relief be and the same hereby
 is, granted as follows: Commencing
 forthwith, § 328.11 (Alphabetical list of

code members—High Volatile Coals) is
 amended by adding thereto Supplement
 R-I, § 328.21 (Alphabetical list of code
 members — Low Volatile Coals) is
 amended by adding thereto Supplement
 R-II, § 328.34 (General prices for high
 volatile coals in cents per net ton for
 shipment into all market areas) is
 amended by adding thereto Supplement
 T-I and § 328.42 (General prices for low
 volatile coals) is amended by adding
 thereto Supplement T-II and the coals
 referred to in the aforementioned sup-
 plements which are hereinafter set forth
 and made a part hereof, shall be subject
 to minimum prices as provided therein.

It is further ordered, That pleadings
 in opposition to the original petition in
 the above-entitled matter, and applica-
 tions to stay, terminate, or modify the
 temporary relief herein granted may be
 filed with the Division within forty-five
 (45) days from the date of this Order,
 pursuant to Rules and Regulations Gov-
 erning Practice and Procedure before
 the Bituminous Coal Division in Pro-
 ceedings Instituted Pursuant to section
 4 II (d) of the Bituminous Coal Act of
 1937.

It is further ordered, That the relief
 herein granted shall become final sixty
 (60) days from the date of this Order,
 unless the Director shall otherwise order.
 Dated: June 10, 1941.

[SEAL]
 H. A. GRAY,
 Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

Note: The material contained in these Supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 Alphabetical list of code members—High volatile coals—Supplement R-1

(Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown)

Mine index No.	Code member	Mine name	Sub- dist. No.	High volatile seam	Freight origin group No.	Price classifications by size group Nos.																											
						For destinations other than Great Lakes														For Great Lakes cargo only													
						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	
660	B & W Coal Co. (Lowell Allred)	B. & W.	6	Bon Air No. 2	210	P	A	A	A	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18							
685	Bennett & Son, A. P. (A. P. Bennett)	Bryant	6	Blue Gem	111	P	A	A	A	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18							
1371	Bonanza Block Coal Co. (H. Cochran)	Bonanza Block Coal Co.	3	Hazard No. 4	100	P	A	A	A	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18							
657	Campbell, Walter C.	Walter C. Campbell	6	Jellico	111	O	M	M	K	F	E	D	C	E	E	O																	
1707	Cole, A. D.	Cole Mine	6	Lilly	111	O	M	M	K	F	E	D	C	E	E	O																	
2212	Cornis Coal Company	Cornis	7	Upper Banner	20	O	M	M	K	F	E	D	C	E	E	O																	
3229	Dean, I. J.	Dean	6	Horse Creek	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
681	Dyer, Fred R. (Red Oak Coal Company)	Red Oak	6	Hazard No. 4	100	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
3111	George & Wallen (A. J. George)	George & Wallen	3	No. 5	204	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
682	Hall & Stumbo (Wayne Stumbo)	Reps Halbert	6	Elkhorn No. 1	61	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
645	Hinal, James J. (Beaus Fork Coal Co.)	Beaus Fork	1	Jack Rock	113	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2084	Holloway Brothers (S. A. Holloway)	Holloway Bros.	6	Bon Air No. 2	210	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
698	Horn, W. E.	Horn	4	Hernshaw	123	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2708	Horne, E. H.	Virginia Red Ash	7	Tiller	20	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
1854	Johnson, F. M. (Famous Elkhorn Coal Co.)	Johnson	1	Elkhorn No. 2	61	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2008	Keyes, C. W.	Keyes	6	Bon Air No. 2	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2211	Kruger, L. L.	Kruger Mining Co.	7	Upper Banner	20	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
1333	Little, J. E.	Little	3	Bellville	20	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2809	Mauney, L. L.	Mauney	6	Jellico	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2897	Moore, Homer	Hopemore	6	No. 5	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2190	Musick & Son (R. F. Musick)	Musick & Son	7	Jellico	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2381	N. & W. Coal Co.	Domestic	5	Alma	204	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
675	Peace, Arthur	Peace	6	Blue Gem	150	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
3169	Fennington & Gregory	Eagle Branch	6	Horse Creek	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2759	Ramsey, T. G.	Ramsey No. 1	6	Peacock	123	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
3469	Rock Creek Coal Co. (S. L. Queener)	Rock Creek	4	Jordan	140	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
1253	Rowe, R. C.	Rowe	6	Elswick	63	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
684	Smallwood, Caleb	White	1	Jellico	111	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
685	Smith, Charley	Lincoln Block Coal Sales	8	Lincoln Block	130	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
4690	Steele, Warren	Warren Steele	5	Douglas	241	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
3376	Talbot, J. P.	Talbot	3	Hazard No. 4	100	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2108	Wallen, J. P.	Wallen	6	No. 5	204	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
3382	Webb, Alvin & Jas. L. Hammons	Webb	7	Blue Gem	112	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											
2280	Whited, J. B.	Whited Coal Co.	7	Upper Banner	20	M	K	H	E	H	F	M	L	2	4	6	8	9	10	16	17	18											

§ 328.21 *Alphabetical list of code members—Low volatile coals—Supplement R-II*
Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown!

Mine Index No.	Code member	Mine name	Subst. No.	Low volatile seam	Freight origin	Price classifications by size group numbers									
						1	2	3	4	5	6	7	8	9	10
209	Blankenship, C. E.	Blankenship Coal Co.	9	Cary	190										
688	Goodman, Henry	Red Ash	9	Raven	21	C	C	D	E	A	A	A	H	H	H

FOR TRUCK SHIPMENTS

\$ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-1

Code member index	Mine	Mine Index No.	Seam	Lump over 2' x 6', der, 2' and un- der, 3' x 6'	Lump 3' and under, 2' x 6'	Egg 2' x 4', 2' x 3', egg	Stove 3' and under, nut 2' and under	Straight mine	2' and under	3' and under
SUB-DISTRICT No. 1—BIG SANDY—ELKHORN CARTER COUNTY, KY. Conley, Wesley (Kilgore Coal Co.).	Kilgore #2.....	676	#7.....	265 245 210 220	205 200 150 145	205 245 210 220	205 245 210 220	205 245 210 220	205 245 210 220	205 245 210 220
FLOYD COUNTY, KY. Hall & Stumbo (Wayne Stumbo).	Reps Halbert.....	682	Elkborn No. 1.....	285 265 225 230	215 215 170 165	285 265 225 230	215 215 170 165	285 265 225 230	215 215 170 165	285 265 225 230
GREENUP COUNTY, KY. Mullins & Mullins (Linzey Mullins).	Gillespie.....	656	Clod.....	265 245 210 220	205 200 150 145	265 245 210 220	205 200 150 145	265 245 210 220	205 200 150 145	265 245 210 220
JOHNSON COUNTY, KY. Rice, Crate (Palmito Coal Yard).	Toms Creek.....	647	Millers Creek.....	305 285 235 240	215 225 170 165	305 285 235 240	215 225 170 165	305 285 235 240	215 225 170 165	305 285 235 240
LAWRENCE COUNTY, KY. Mitchell, W. C.....	Preston.....	649	Preston.....	265 245 210 220	205 200 150 145	265 245 210 220	205 200 150 145	265 245 210 220	205 200 150 145	265 245 210 220
FIFE COUNTY, KY. Daniels, J. T.....	Daniels.....	646	Elkborn.....	275 255 230 230	215 210 170 165	275 255 230 230	215 210 170 165	275 255 230 230	215 210 170 165	275 255 230 230
SUB-DISTRICT No. 3—HAZARD KNOTT COUNTY, KY. Dyer, Fred R. (Red Oak Coal Company).	Red Oak.....	681	Hazard No. 4.....	275 255 225 230	210 215 170 165	275 255 225 230	210 215 170 165	275 255 225 230	210 215 170 165	275 255 225 230
SUB-DISTRICT No. 4—KANAWHA BOONE COUNTY, W. VA. Horn, W. E.....	Horn.....	686	Hornshaw.....	275 255 230 235	215 220 185 180	275 255 230 235	215 220 185 180	275 255 230 235	215 220 185 180	275 255 230 235

Code member index	Mine	Mine index No.	Seam	Base sizes							
				Lump over egg 4' x 6"	Lump 2' and under, egg 3' x 6"	Lump 3' and under	Egg 2' x 4', 2' x 4', egg	Stove 3' and under, nut 2' and under	Straight mine	2' and under	3/4' and under
				1	2	3	4	5	6	7	8
SUB-DISTRICT NO. 4— KANAWHA—Continued CLAY COUNTY, W. VA.											
Dorsey, Russell.	Dorsey	664	Coalburg	245	225	210	205	180	200	145	140
SUB-DISTRICT NO. 6— SOUTHERN APPALACHIAN BELL COUNTY, KY.											
Hihnel, James J. (Beaus Fork Coal Co.).	Bean Fork	645	Jack Rock	285	265	220	240	215	210	155	150
CLAY COUNTY, KY.											
Garrison, Roy	Napier	663	Horse Creek	265	245	220	220	205	210	155	150
Stemore, Jarvis	652			265	245	220	220	205	210	155	150
Wadkins, J. O.	Caudell	658	Carneland	265	245	220	220	205	210	155	150
JACKSON COUNTY, KY.											
Pine Ridge Coal Co. (Perry Floyd).	Pine Ridge	683	Big Hill	265	245	220	220	205	210	155	150
CAMPBELL COUNTY, TENN.											
Edwards, John	John Edwards	687	Jellico	300	280	225	250	215	215	170	165
ENOX COUNTY, KY.											
Bennett & Son, A. P. (A. P. Bennett).	Bryant	655	Blue Gem	335	315	235	260	225	225	145	140
Campbell, Walter C.	Walter C. Camp- bell.	657	Jellico	255	235	225	225	205	215	155	150
Peace, Arthur	Peace.	675	Blue Gem	335	315	235	260	225	225	145	140
Rose, Arthur.	Rose.	684	Blue Gem	335	315	235	260	225	225	145	140
LAUREL COUNTY, KY.											
Cornelius & Cathers (Rolla Cornelius).	Cathers	680	Mayflower	265	245	220	220	205	210	155	150
Robinson, Lee	Cathers.	659	Lilly	265	245	220	220	205	210	155	150
WHITLEY COUNTY, KY.											
Smallwood, Caleb.	White	679	Jellico	255	235	225	225	205	215	155	150
Walker, Luther	Luther	673	Jellico	255	235	225	240	215	215	170	165
OVERTON COUNTY, TENN.											
B. & W. Coal Co. (Lowell Allred).	B. & W.	660	Bon Air #2	250	230	205	210	185	195	135	130
SUB-DISTRICT NO. 7—VIRGINIA											
LEE COUNTY, VA.											
Robbins, W. E.		3626	No. 4	265	245	215	220	205	205	155	150
RUSSELL COUNTY, VA.											
Deel, W. F.	Deel	664	Widow Kennedy	275	255	230	240	225	210	155	150
Willgore, Pete	Frank Coal Co. #3	690	Kennedy	275	255	230	240	225	210	155	150

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-I—Continued

Code member index	Mine	Mine Index No.	Seam	Base sizes									
				1	2	3	4	5	6	7	8	9	10
Sub-District No. 7—Virginia—Continued	Bond, E. H. & Earnest Sullivan & Osborne (Edward G. Sullivan).	659	Widow Kennedy	Lump over 24" x 6"	Lump over 24" x 6"	Lump over 24" x 6"	Reg 24" x 4" egg	Stove 3" and under, nut 2" and under	Straight run	2" and under	3/4" and under	3/4" and under	3/4" and under
				275	255	220	240	225	210	155	150	150	150
Sub-District No. 8—Virginia—Continued	Grimsley, I. L. & Earnest Keen (J. L. Grimsley).	662	Widow Kennedy	Lump over 24" x 6"	Lump over 24" x 6"	Lump over 24" x 6"	Reg 24" x 4" egg	Stove 3" and under, nut 2" and under	Straight run	2" and under	3/4" and under	3/4" and under	3/4" and under
				275	255	220	240	225	210	155	150	150	150
Sub-District No. 9—Virginia—Continued	Goodman, Henry	661	Jawbone	Lump over 24" x 6"	Lump over 24" x 6"	Lump over 24" x 6"	Reg 24" x 4" egg	Stove 3" and under, nut 2" and under	Straight run	2" and under	3/4" and under	3/4" and under	3/4" and under
				265	245	220	220	215	210	155	150	150	150

§ 328.42 General prices for low volatile coals—Supplement T-II
[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Mine Index No.	Seam	Base sizes									
				1	2	3	4	5	6	7	8	9	10
Sub-District No. 9—Buchanan County Low Volatile and Red Ash Mines in Virginia and Williamson Districts	Tazewell County, Va.	668	Raven	All lump	Egg: Larger than 3" top	Stove: 3" top size	Nut or pea: 1 1/4"	Screened M/R	Straight M/R	1 1/4" screenings	3/4" screenings	3/4" and under	3/4" and under
				305	305	300	250	280	215	155	150	150	150

[P. E. Doc. 41-4342; Filed, June 17, 1941; 10:09 a. m.]

[Order No. 326]

PART 308—REPORTS AND RECORDS
AN ORDER TEMPORARILY CONDITIONALLY RELIEVING REGISTERED DISTRIBUTORS IN CANADA FROM CERTAIN SPECIFIED REQUIREMENTS OF ORDERS NO. 313 AND NO. 314

The Coal Administrator of the War Time Prices and Trade Board of Canada, having requested, by letters dated April 26 and May 20, 1941, the Bituminous Coal Division of the United States Department of the Interior to suspend the provisions of Part 308 "in so far as they affect Can-

adian distributors," for the reason, among others, that said requirements, under present war conditions entail an immense amount of work and effort "that can hardly be spared from the immediate task"; and

The said Coal Administrator of Canada, recognizing that the Bituminous Coal Division, in order to successfully administer the Bituminous Coal Act of 1937, as amended, requires certain information with respect to the shipments of bituminous coal from American mines

to Canadian destinations, having agreed, if the aforementioned request be granted, (a) to "furnish the Bituminous Coal Division each month with data pertaining to all United States bituminous coal imports and dock stocks as at the end of the preceding month," and to advise the Division "as to the selling price of each grade of coal so sold";

(b) to "see that such coal will not be sold at less than the minimum code price in force from time to time and will report any violations to the Marketing Division";

(c) to undertake, upon request of the Division, "immediately to investigate and report upon any complaints submitted to him or which come to his knowledge independently";

(d) to furnish the Division with statistical data concerning "ultimate penetration of American coal by the main consuming areas and by provinces";

(e) to furnish the Division with "the actual costs of handling coal over any dock in the provinces concerned";

(f) to furnish to the Division "at its request on behalf of any Canadian registered distributor all data available concerning the marketing and distributing of United States bituminous coal";

(g) to keep the Division advised as to any violations of the price provisions of the Act or the Rules and Regulations of the Division; and

The Director of the Bituminous Coal Division recognizing that registered distributors in Canada are now required and from time to time will be required to file certain reports with the Coal Administrator with respect to the purchase, storage, sale and distribution of bituminous coal, which reports in some respects contain the same information as that required by Part 308; and it appearing desirable to relieve registered distributors in Canada from the requirements of furnishing information to the Division which is substantially the same as that available to the Division through the War Time Prices and Trade Board of Canada,

Now, therefore, it is ordered, That registered distributors, engaged in business in Canada, who file with the Coal Administrator of the War Time Prices and Trade Board of Canada such reports as

the said Coal Administrator may, from time to time, require, be and they hereby are relieved until further order of the Division from filing the data and information with respect to the storage, resale and distribution of bituminous coal in Canada as required by §§ 308.9, 308.16, 308.17, 308.18, and 308.19: *Provided, however*, That the relief herein granted shall not be applicable to any such registered distributor who fails to file with the Bituminous Coal Division copies of the invoices, debit, credit and other memoranda as required by § 308.15, or the authorization as required by § 308.13 (b).

And it is further ordered, That the Order herein is subject to the following terms and conditions:

(1) That this Order apply only to those registered distributors, engaged in business in Canada, who file with the Coal Administrator of the War Time Prices and Trade Board of Canada, within five (5) days after the receipt of this Order, a written statement authorizing said administrator, on behalf of such registered distributor, to file with the Bituminous Coal Division any and all data in his possession concerning the handling and marketing of American bituminous coal in Canada by such distributor, and who files a conformed copy of such statement of authorization with the Bituminous Coal Division;

(2) That all the provisions of Part 308, including, without limitation, §§ 308.1 and 308.2, remain in full force and effect, except as otherwise expressly provided in this Order; and

(3) That this Order is without prejudice to the right of the Director to revoke this Order, in whole or in part, and to require any registered distributor, engaged in business in Canada, to comply with any or all of the requirements of Part 308 when, in the opinion of the Director, such revocation is necessary or desirable in the interests of the administration of the Bituminous Coal Act. (Sec. 2 (a), 4 II (a), 4 II (g) and 10 (a); 50 Stat. 72, 77, 88; 15 U.S.C. Sup. 829 (a), 833 (a), 833 (g), 840 (a))

Dated: June 17, 1941.

[SEAL]

H. A. GRAY,

Director.

[P. E. Doc. 41-4363; Filed, June 18, 1941; 9:52 a. m.]

TITLE 32—NATIONAL DEFENSE
CHAPTER VII—SELECTIVE SERVICE
SYSTEM

[No. 7]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940, approved September 16, 1940, and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Paragraph 163 and Appendix A to Volume One¹ of the Selective Service Regulations, I hereby prescribe the following change in a DSS form:

1. That DSS Form 254 be discontinued effective April 17, 1941.

The foregoing discontinuance shall, effective April 17, 1941, become a part of Appendix A to Volume One, Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 13, 1941.

[F. R. Doc. 41-4379; Filed, June 18, 1941;
 11:56 a. m.]

[No. 8]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Paragraph 163 and Appendix A to Volume One of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Revision of DSS Form 1, effective June 9, 1941. Upon receipt of DSS Form 1 (Revised 6/9/41), all unused copies of the original DSS Form 1 on hand will be used only in the registration of men who were born on or before October 16, 1919, and who were therefore in the age group required to be registered in the first registration.

2. Revision of DSS Form 2, effective June 9, 1941. Upon receipt of DSS Form 2 (Revised 6/9/41), all unused copies of the original DSS Form 2 on hand will be destroyed and its use discontinued.

3. Discontinuance of DSS Form 4, effective June 9, 1941. All copies of DSS Form 4 on hand will be destroyed.

4. Discontinuance of DSS Form 5, effective June 9, 1941. All copies of DSS Form 5 on hand will be destroyed.

The foregoing revisions and discontinuances shall, effective June 9, 1941, become a part of Appendix A of Volume One, Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 14, 1941.

[F. R. Doc. 41-4380; Filed, June 18, 1941;
 11:57 a. m.]

¹ 5 F.R. 3785.

[No. 9]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Paragraph 163 and Appendix A to Volume One of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Addition of a new form designated as DSS Form 34, effective June 16, 1941.

2. Addition of a new form designated as DSS Form 35, effective June 16, 1941.

The foregoing additions shall, effective June 16, 1941, become a part of Appendix A of Volume One of the Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 14, 1941.

[F. R. Doc. 41-4381; Filed, June 18, 1941;
 11:57 a. m.]

CHAPTER XI—OFFICE OF PRICE
ADMINISTRATION AND CIVILIAN
SUPPLY

PART 1304—IRON AND STEEL SCRAP

AMENDMENT OF PRICE SCHEDULE NO. 4

Since the issuance on April 3, 1941, of Price Schedule No. 4¹ establishing maximum prices for iron and steel scrap, information received by the Office of Price Administration and Civilian Supply and inquiries made to this Office have established cause for amendment and clarification of the Price Schedule. Consequently, I am hereby amending the Price Schedule. The amendments to the Schedule, which become effective June 18, 1941, are incorporated in Price Schedule No. 4 Amended, attached hereto.

LEON HENDERSON,
Administrator.

Whereas, the Office of Price Administration and Civilian Supply is charged with functions related to the maintenance of price stability and the prevention of undue price rises and price dislocations; and

Whereas, the increased demand for iron and steel scrap has exerted inflationary pressure upon the prices thereof, and has already caused, and threatens still further to cause, speculative activity, and the withholding of iron and steel scrap from the market; and

Whereas, prices of iron and steel scrap have risen to a degree that has caused price instability and dislocations injurious to the national defense; and

Whereas, under the foregoing circumstances, the absence of any maximum price standards has militated against and in some cases rendered it impossible for the Government to obtain voluntary cooperation in maintaining price stability and in preventing excessive and speculative price increases; and

¹ 6 F.R. 1767, 1872.

Whereas, it appears that the establishment of maximum price standards is necessary to facilitate cooperation with the Government and prevention of a price policy tending to weaken the defense effort through disastrous inflation, undue burdens upon the Government, economic dislocations, price spiralling, and profiteering, and the establishment of such standards is otherwise necessary in the public interest and in the interest of national defense; and

Whereas, on the basis of information secured by independent investigation by this Office and through cooperation of the trade, I find that the maximum prices as prescribed herein and set forth in § 1304.16 [Appendix A], § 1304.17 [Appendix B], and § 1304.18 [Appendix C], annexed hereto, constitute reasonable limitations on prices for iron and steel scrap:

Now, therefore, in order to facilitate cooperation with the Government in maintaining price stability and in preventing excessive and speculative price increases injurious to the Defense Program and to the public interest and welfare, *It is hereby ordered*, Pursuant to and under the authority of Executive Order No. 8734,² that Paragraphs 1 through 15 and Appendix A, Appendix B, and Appendix C of Price Schedule No. 4 Revised be and the same hereby are renumbered as §§ 1304.1 to 1304.19 inclusive, and are further amended, effective June 18, 1941, to read as follows:

§ 1304.1 *Maximum prices on sales of iron and steel scrap other than railroad scrap.* On and after April 3, 1941, regardless of the terms of any commitment theretofore entered into, no person shall sell, offer to sell, deliver, or transfer at a price, iron or steel scrap other than railroad scrap to the consumer of such scrap, at prices higher than the prices set forth in § 1304.16 [Appendix A] annexed hereto, and no consumer shall buy, offer to buy, or accept delivery of, iron and steel scrap other than railroad scrap at prices higher than the prices set forth in § 1304.16 [Appendix A], except as provided in §§ 1304.5 and 1304.6 of this part. Lower prices may, however, be charged, demanded, paid or offered.*

* §§ 1304.1 to 1304.19, inclusive, issued pursuant to the authority contained in Executive Order No. 8734.

§ 1304.2 *Maximum prices on sales of iron and steel railroad scrap.* On and after April 3, 1941, regardless of the terms of any commitment theretofore entered into, no person shall sell, offer to sell, deliver, or transfer at a price, iron or steel railroad scrap to the consumer of such scrap, at prices higher than the prices set forth in § 1304.17 [Appendix B] annexed hereto, and no consumer shall buy, offer to buy, or accept delivery of, iron and steel railroad scrap at prices higher than the prices established in § 1304.17 [Appendix B] annexed hereto, except as provided in §§ 1304.5 and

² 6 F.R. 1917.

1304.6 of this part. Lower prices may, however, be charged, demanded, paid or offered.*

§ 1304.3 *Maximum prices on sales of iron and steel scrap for export.* On and after April 3, 1941, regardless of the terms of any commitment theretofore entered into, no person shall sell or offer to sell for export, or deliver for export, iron and steel scrap, to any person at prices higher than the prices set forth in § 1304.18 [Appendix C] annexed hereto, and no consumer or agent or other person shall buy or offer to buy for export, or accept delivery of for export, iron and steel scrap at higher prices than the prices set forth in § 1304.18 [Appendix C] annexed hereto, except as provided in §§ 1304.5 and 1304.6 of this part. Lower prices may, however, be charged, demanded, or offered.*

§ 1304.4 *Method of securing information governing maximum prices on sales of iron and steel railroad scrap.* On and after April 3, 1941, a sale of any grade of iron and steel railroad scrap for which no maximum price is published in § 1304.17 [Appendix B] shall be made only after opportunity has been given any buyer of such scrap to learn the maximum price, if any, applicable to such sale by addressing an inquiry to the Office of Price Administration and Civilian Supply in Washington, D. C. In order to provide such opportunity, no sale of any such grade of iron or steel railroad scrap, concerning which a maximum price is applicable hereunder, shall be made, except as provided under § 1304.5 of this part, until after the railroad maker thereof or other person has filed with the Office of Price Administration and Civilian Supply at Washington, D. C., the information required to determine with § 1304.17 [Appendix B] annexed hereto, the maximum price thereby established for such grade, and until the Office of Price Administration and Civilian Supply has thereupon released a maximum price therefor.*

§ 1304.5 *Extension to May 10, 1941 for uncompleted contracts.* (a) In the event that any person has, prior to April 3, 1941, acquired possession of, and ownership in, iron and steel scrap at a price in excess of the maximum price established in this part for the purpose of carrying out a contract for the sale of such scrap entered into prior to such date, such sale may be made and completed at the price contracted for, even though such price is in excess of the maximum price established herein, provided that deliveries are completed on or before May 10, 1941.

(b) Any person, who prior to April 3, 1941, entered into a contract at prices higher than the maximum prices established under this part for the sale of iron and steel scrap:

(1) originating from a demolition operation commenced prior to April 3, 1941; or

(2) acquired prior to April 3, 1941, and accumulated at a point of shipment, for export or otherwise, and impossible,

due to lack of transportation facilities, to deliver to the purchaser of such scrap, may make and complete such sale at the prices contracted for provided that deliveries of such scrap are completed on or before May 10, 1941, or on a later date fixed by the Office of Price Administration and Civilian Supply upon application, supported by affidavit establishing a reasonable ground for extension beyond May 10, 1941.*

§ 1304.6 *Commissions.* In the event that a consumer of iron and steel scrap shall employ an agent or broker to purchase iron and steel scrap for its use, such consumer may pay such agent or broker for such scrap a sum not exceeding the maximum prices established under this part plus a commission of not more than 50¢ per gross ton. Such commission shall be payable only if (a) the agent or broker guarantees the quality and delivery of an agreed tonnage of the scrap; (b) the commission is shown as a separate charge in billing; (c) the scrap is invoiced at a price not higher than the maximum applicable herein; and (d) no dealer or broker splits or divides the commission allowed him by a consumer with the seller or sellers of the scrap, with another broker or a subbroker, or with the consumer. A dealer who has never acted as a broker prior to June 18, 1941, shall in no case be allowed a brokerage commission.*

§ 1304.7 *Shipment—Limitation on use of certain kinds of iron and steel scrap.* (a) The shipment of iron and steel scrap shall, insofar as practicable, be routed through the channels customarily utilized by the maker, dealer, broker or consumer in order to minimize the necessity for cross-hauling and to prevent dislocation of the machinery of collection and preparation for consumption.

(b) Consumers, brokers and dealers shall, to the greatest possible extent, refrain from the purchase, and steel mills (open hearths) from the use of the kinds and grades of iron and steel railroad scrap not essential to their production; i. e., rerolling rails scrap must be diverted to rerolling mills and not cut for melting purposes.

(c) A railroad maker of iron and steel scrap shall not sell such scrap off the line of his railroad, irrespective of price, until he has supplied consumers located on the line of the railroad as they have been in the past customarily supplied with the iron and steel scrap originating on the railroad.*

§ 1304.8 *Evasion.* The price limitations set forth in this part shall not be evaded whether by direct or indirect methods in connection with a purchase or sale of iron and steel scrap, or of any other materials, or by way of any service or other charge, including transportation charges, or discount, premium or other privilege, or by any tying-agreement or trade understanding, or otherwise.*

§ 1304.9 *Record-keeping requirements.* Every dealer in, and every maker, smelter, processor, broker, or

consumer of, and every other person purchasing or selling iron and steel scrap shall, until such time as further information is deemed necessary or appropriate hereunder, keep for inspection by the Office of Price Administration and Civilian Supply and preserve for a period of not less than one year, complete and accurate records of:

(a) All purchases and sales of iron and steel scrap, recording therein the person from or to whom each such purchase or sale was made, the date thereof, the price paid, or received, and the quantity in pounds and quality by grades in iron and steel scrap, or both, involved; and

(b) As of the close of each month, the amount in pounds of iron and steel scrap, (1) on hand and (2) on order.*

§ 1304.10 *Reports of consumers' inventories and purchases of iron and steel scrap.* Every consumer of iron and steel scrap, on or before May 1, 1941, shall file a report with the Office of Price Administration and Civilian Supply, Washington, D. C., setting forth its total inventories of iron and steel scrap on hand on April 1, 1941. In addition every consumer who purchases iron and steel scrap shall, on or before the fifteenth day of the month following the month in which one or more purchases are made, file a report with the Office of its purchases, consumption and inventory of iron and steel scrap for the month in the manner prescribed in § 1304.19 [Appendix D] of this part. Consumers of iron and steel scrap shall submit such further reports as the Office of Price Administration and Civilian Supply may, from time to time, require.*

§ 1304.11 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, and other provisions contained in this part, or in the event of any evasion or attempt to evade the price limitations or other provisions contained in this part, this Division will make every effort to assure (a) that the Congress and the public are fully informed of any failure to abide by the provisions of this part; and (b) that the powers of the Government are fully exerted in order to protect the public interest and the interests of those persons who conform with this part in the maintenance of ceiling prices set forth herein. Persons who have evidence of the demand or receipt of prices above the limitations set forth, or of any evasion or effort to evade such requirements, or of speculation, or manipulation of prices of iron and steel scrap, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration and Civilian Supply.*

§ 1304.12 *Supplemental schedules and reporting requirements.* In order to insure compliance with this part supplements further stating its scope and, if necessary, requiring further reports to the Government, will be issued from time to time when found appropriate.*

§ 1304.16 Appendix A, Maximum prices for iron and steel scrap other than railroad scrap—Continued.

Grades	Basing points					
	Chicag. Ill.	Kokomo, Ind.	Rehoboth, Pa.	Claymont, Del.	Coatesville, Pa.	Phoenixville, Pa.
No. 1 Heavy Melting Steel.....	\$18.75	\$18.25	\$18.25	\$18.75	\$18.75	\$18.75
No. 1 Hydraulic Compressed Black Sheet Scrap.....	18.75	18.25	18.25	18.75	18.75	18.75
No. 2 Heavy Melting Steel.....	17.75	17.25	17.25	17.75	17.75	17.75
Dealers' No. 1 Bundles.....	17.75	17.25	17.25	17.75	17.75	17.75
Dealers' No. 2 Bundles.....	16.75	16.25	16.25	16.75	16.75	16.75
Mixed Borings and Turnings.....	14.00	13.50	13.50	14.00	14.00	14.00
Machine Shop Turnings.....	14.25	13.75	13.75	14.25	14.25	14.25
Shovelling Turnings.....	13.25	12.75	12.75	13.25	13.25	13.25
No. 1 Bushing.....	14.25	13.75	13.75	14.25	14.25	14.25
No. 2 Bushing.....	13.25	12.75	12.75	13.25	13.25	13.25
Cast Iron Borings.....	17.75	17.25	17.25	17.75	17.75	17.75
Uncut Structural and Plate Scrap.....	20.00	19.50	19.50	20.00	20.00	20.00
No. 1 Cupola.....	18.00	17.50	17.50	18.00	18.00	18.00
Heavy Breakable Cast.....	17.00	16.50	16.50	17.00	17.00	17.00
Store Phos Billet and Bloom Crops.....	23.75	23.25	23.25	23.75	23.75	23.75
Low Phos Bar Crops and Smaller.....	21.75	21.25	21.25	21.75	21.75	21.75
Low Phos Cast, Cupola Size**.....	21.75	21.25	21.25	21.75	21.75	21.75
Machine Shop Turnings.....	21.00	20.50	20.50	21.00	21.00	21.00
No. 1 Mach. Cast, drop-broken, 150 lbs. and under.....	21.50	21.00	21.00	21.50	21.50	21.50
Clean Auto Cast.....	21.50	21.00	21.00	21.50	21.50	21.50
Punchings and Plate Scrap***.....	20.75	20.25	20.25	20.75	20.75	20.75
Heavy Axle and Forge Turnings.....	18.25	17.75	17.75	18.25	18.25	18.25
Medium Heavy Electric Furnace Turnings.....	16.75	16.25	16.25	16.75	16.75	16.75

Grades	Basing points					
	Sparks Point, Md.	Cleveland, Ohio	Buffalo, N. Y.	Portsmouth, Ohio	Middletown, Ohio	Ashland, Ky.
No. 1 Heavy Melting Steel.....	\$18.75	\$19.50	\$19.25	\$19.50	\$19.50	\$19.50
No. 1 Hydraulic Compressed Black Sheet Scrap.....	18.75	19.50	19.25	19.50	19.50	19.50
No. 2 Heavy Melting Steel.....	17.75	18.50	18.25	18.50	18.50	18.50
Dealers' No. 1 Bundles.....	17.75	18.50	18.25	18.50	18.50	18.50
Dealers' No. 2 Bundles.....	16.75	17.50	17.25	17.50	17.50	17.50
Mixed Borings and Turnings.....	14.00	14.75	14.50	14.75	14.75	14.75
Machine Shop Turnings.....	14.25	15.00	14.75	15.00	15.00	15.00
Shovelling Turnings.....	13.25	14.00	13.75	14.00	14.00	14.00
No. 1 Bushing.....	14.25	15.00	14.75	15.00	15.00	15.00
No. 2 Bushing.....	13.25	14.00	13.75	14.00	14.00	14.00
Cast Iron Borings.....	17.75	18.50	18.25	18.50	18.50	18.50
Uncut Structural and Plate Scrap.....	20.00	20.75	20.50	20.75	20.75	20.75
No. 1 Cupola.....	18.00	18.75	18.50	18.75	18.75	18.75
Heavy Breakable Cast.....	17.00	17.75	17.50	17.75	17.75	17.75
Store Phos Billet and Bloom Crops.....	23.75	24.50	24.25	24.50	24.50	24.50
Low Phos Bar Crops and Smaller.....	21.75	22.50	22.25	22.50	22.50	22.50
Low Phos Cast, Cupola Size**.....	21.75	22.50	22.25	22.50	22.50	22.50
Machine Shop Turnings.....	21.00	21.75	21.50	21.75	21.75	21.75
No. 1 Mach. Cast, drop-broken, 150 lbs. and under.....	21.50	22.25	22.00	22.25	22.25	22.25
Clean Auto Cast.....	21.50	22.25	22.00	22.25	22.25	22.25
Punchings and Plate Scrap***.....	20.75	21.50	21.25	21.50	21.50	21.50
Heavy Axle and Forge Turnings.....	18.25	19.00	18.75	19.00	19.00	19.00
Medium Heavy Electric Furnace Turnings.....	16.75	17.50	17.25	17.50	17.50	17.50

See footnotes at end of table.

ing a railroad origin and includes the kinds and grades of imported and domestic iron and steel scrap referred to in, and determined under, § 1304.17 (Appendix B);

(d) The term "railroad" includes steam and electric railroads, and street, suburban, and interurban electric railways and local trolleys;

(e) The term "iron and steel scrap" means all kinds and grades of imported and domestic iron and steel scrap including iron and steel railroad scrap;

(f) The term "consumer" means a purchaser, for its own consumption, of iron or steel scrap, i. e. smelter, foundry, steel mill, etc.;

§ 1304.15 Effective date. This part shall become effective immediately, except as otherwise specifically provided herein.*

Issued this 18th day of June 1941.

LEON HENDERSON,
Administrator.

§ 1304.16 Appendix A, Maximum prices for iron and steel scrap other than railroad scrap

[All the prices given below are per gross ton]

I—BASING POINTS PRICES FROM WHICH SHIPPING POINT PRICES AND CONSUMERS' DELIVERED PRICES ARE TO BE COMPUTED

Grades	Basing points					
	Pittsburgh, Pa.	Johnstown, Pa.	Wierstown, W. Va.	Steubenville, Ohio	Youngstown, Ohio	Warren, Ohio
No. 1 Heavy Melting Steel.....	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00
No. 1 Hydraulic Compressed Black Sheet Scrap.....	20.00	20.00	20.00	20.00	20.00	20.00
No. 2 Heavy Melting Steel.....	19.00	19.00	19.00	19.00	19.00	19.00
Dealers' No. 1 Bundles.....	19.00	19.00	19.00	19.00	19.00	19.00
Dealers' No. 2 Bundles.....	18.00	18.00	18.00	18.00	18.00	18.00
Mixed Borings and Turnings.....	15.00	15.00	15.00	15.00	15.00	15.00
Machine Shop Turnings.....	15.25	15.25	15.25	15.25	15.25	15.25
Shovelling Turnings.....	14.50	14.50	14.50	14.50	14.50	14.50
No. 1 Bushing.....	15.50	15.50	15.50	15.50	15.50	15.50
No. 2 Bushing.....	14.50	14.50	14.50	14.50	14.50	14.50
Cast Iron Borings.....	19.00	19.00	19.00	19.00	19.00	19.00
Uncut Structural and Plate Scrap.....	21.00	21.00	21.00	21.00	21.00	21.00
No. 1 Cupola.....	19.00	19.00	19.00	19.00	19.00	19.00
Heavy Breakable Cast.....	18.00	18.00	18.00	18.00	18.00	18.00
Store Phos Billet and Bloom Crops.....	24.00	24.00	24.00	24.00	24.00	24.00
Low Phos Bar Crops and Smaller.....	22.00	22.00	22.00	22.00	22.00	22.00
Low Phos Cast, Cupola Size**.....	22.00	22.00	22.00	22.00	22.00	22.00
Machine Shop Turnings.....	22.00	22.00	22.00	22.00	22.00	22.00
No. 1 Mach. Cast, drop-broken, 150 lbs. and under.....	22.50	22.50	22.50	22.50	22.50	22.50
Clean Auto Cast.....	22.50	22.50	22.50	22.50	22.50	22.50
Punchings and Plate Scrap***.....	22.00	22.00	22.00	22.00	22.00	22.00
Heavy Axle and Forge Turnings.....	21.00	21.00	21.00	21.00	21.00	21.00
Medium Heavy Electric Furnace Turnings.....	18.00	18.00	18.00	18.00	18.00	18.00

§ 1304.13 Modification of the price schedule. Persons complaining of hardship or inequity in the operation of this part may apply to the Office of Price Administration and Civilian Supply, Washington, D. C., for approval of any modification thereof or exception therefrom, and the Office of Price Administration and Civilian Supply may, upon its own initiative, and as and when it seems appropriate, modify or enlarge this part and the maximum prices established hereunder.*

§ 1304.14 Definitions. When used in this part:

(a) The term "person" includes an individual, corporation, association, partnership, or other business entity;

(b) The term "iron and steel scrap other than railroad scrap" means the kinds and grades of imported and domestic iron and steel scrap referred to in § 1304.16 (Appendix A);

(c) The term "iron and steel railroad scrap" means iron and steel scrap hav-

\$ 1304.16 Appendix A. Maximum prices for iron and steel scrap other than railroad scrap—Continued.

Grades	Basing points					
	Durham, Minn.	Birmingham, Ala.	Chattanooga, Tenn.	Radford, Va.	Worcester, Mass.	Bridgeport, Conn.
No. 1 Heavy Melting Steel.....	\$18.00	\$17.00	.....	.....	.....	.....
No. 1 Hydraulic Comp. Black Sheet Scrap.....	18.00	17.00	.....	.....	.....	.....
No. 2 Heavy Melting Steel.....	17.00	16.00	.....	.....	.....	.....
Dealers' No. 1 Bundles.....	17.00	16.00	.....	.....	.....	.....
Dealers' No. 2 Bundles.....	16.00	15.00	.....	.....	.....	.....
Mixed Borings and Turnings.....	12.25	12.25	.....	.....	.....	.....
Machine Shop Turnings.....	13.50	13.50	.....	.....	.....	.....
Shovel Turnings.....	16.50	16.50	.....	.....	.....	.....
No. 1 Cupola.....	16.50	16.50	.....	.....	.....	.....
No. 2 Cupola.....	17.50	17.50	.....	.....	.....	.....
No. 2 Bushing.....	13.75	12.75	.....	.....	.....	.....
Cast Iron Boring.....	17.00	16.00	.....	.....	.....	.....
Uncut Structural and Plate Scrap.....	18.00	18.00	.....	.....	.....	.....
No. 1 Cupola.....	18.00	18.00	.....	.....	.....	.....
Heavy Breakable Cast.....	16.50	16.50	.....	.....	.....	.....
Store Plate.....	22.00	22.00	.....	.....	.....	.....
Low Phos Billet and Bloom Crops.....	21.00	21.00	.....	.....	.....	.....
Low Phos Bar Crops and Smalls.....	21.00	21.00	.....	.....	.....	.....
Low Phos Punchings and Plate Scrap*.....	21.00	21.00	.....	.....	.....	.....
Machinery Cast, Cupola Size**.....	19.00	21.00	.....	.....	.....	.....
No. 1 Mach. cast, drop-broken, 150 lbs. and under.....	19.50	21.50	.....	.....	.....	.....
Clean Auto Cast.....	19.50	21.50	.....	.....	.....	.....
Punchings and Plate Scrap***.....	19.50	21.50	.....	.....	.....	.....
Punchings and Plate Scrap****.....	19.00	19.00	.....	.....	.....	.....
Heavy Axle and Forge Turnings.....	17.50	16.50	.....	.....	.....	.....
Medium Heavy Electric Furnace Turnings.....	16.00	15.00	.....	.....	.....	.....

Grades	Basing points					
	Los Angeles, Calif.	San Francisco, Calif.	Seattle, Wash.	Minneapolis, Colo.	Toledo, Ohio	.....
No. 1 Heavy Melting Steel.....	\$14.50	\$14.50	\$14.50	\$16.50	.....	.....
No. 1 Hydraulic Comp. Black Sheet Scrap.....	14.50	14.50	14.50	16.50	.....	.....
No. 2 Heavy Melting Steel.....	13.50	13.50	13.50	15.50	.....	.....
Dealers' No. 1 Bundles.....	13.50	13.50	13.50	15.50	.....	.....
Dealers' No. 2 Bundles.....	12.50	12.50	12.50	14.50	.....	.....
Mixed Borings and Turnings.....	9.75	9.75	9.75	11.75	.....	.....
Machine Shop Turnings.....	10.00	10.00	10.00	12.00	.....	.....
Shovel Turnings.....	11.00	11.00	11.00	13.00	.....	.....
No. 1 Bushing.....	14.00	14.00	14.00	16.00	.....	.....
No. 2 Bushing.....	10.25	10.25	10.25	12.25	.....	.....
Cast Iron Boring.....	13.50	13.50	13.50	15.50	.....	.....
Uncut Structural and Plate Scrap.....	17.00	17.00	17.00	19.00	.....	.....
No. 1 Cupola.....	14.00	14.00	14.00	16.00	.....	.....
Heavy Breakable Cast.....	.....	.....	.....	11.25	.....	.....
Store Plate.....	.....	.....	.....	.....	.....	.....
Low Phos Billet and Bloom Crops.....	.....	.....	.....	.....	.....	.....
Low Phos Bar Crops and Smalls.....	.....	.....	.....	.....	.....	.....
Low Phos Punchings and Plate Scrap*.....	.....	.....	.....	.....	.....	.....
Machinery Cast, Cupola Size**.....	19.00	19.00	19.00	21.00	.....	.....
No. 1 Mach. cast, drop-broken, 150 lbs. and under.....	19.50	19.50	19.50	21.50	.....	.....
Clean Auto Cast.....	19.50	19.50	19.50	21.50	.....	.....
Punchings and Plate Scrap***.....	14.00	14.00	14.00	16.00	.....	.....
Punchings and Plate Scrap****.....	12.50	12.50	12.50	14.50	.....	.....

*This grade is 3/4-inch and heavier, cut 12 inches and under.

**This grade also may include clean agricultural cast.

***This grade is under 3/4-inch to 3/4-inch, cut 12 inches and under.

****This grade is under 3/4-inch to 3/4-inch, cut 12 inches and under.

a. Basing Point includes its swifeling district.

The grades specified except Dealers' No. 1 and No. 2 Bundles and Uncut Structural and Plate Scrap, as named and defined in the simplified price recommendations R-58-36 of the Department of Commerce which shall be the governing specifications for iron and steel scrap hereunder. Dealers' No. 1 Bundles shall consist of new, clean black sheet scrap, hydraulically confounded in a dealer's yard. Dealers' No. 2 Bundles shall consist of old fender and body scrap, and shall in no case command a premium.

These grades represent the major classifications of iron and steel scrap. The maximum prices of superior or inferior grades shall continue to bear the same comparable relationship to those major grade classifications as heretofore existed between the prices of such superior or inferior grades and the prices of the major grades.

II—MAXIMUM PRICE AT SHIPPING POINT

A *Shipping Point* is the point from which the scrap is to be shipped to a consumer.

The maximum price at which a grade of scrap may be sold f. o. b. its point of shipment is the *Shipping Point Price* of such scrap.

A *Shipping Point Price* is computed as follows:

The price established above for the Basing Point nearest, in terms of transportation charges, to the *Shipping Point* is determined. There is then subtracted from this price the lowest established charge for transporting scrap from the *Shipping Point* to such Basing Point. The figure thus obtained is the *Shipping Point Price*, with the following exception:

The *Shipping Point Price* at any Shipping Point in New England, of those grades of scrap for which no prices are listed at the Basing Points established for New England in Paragraph I, hereof, shall be the *Johnstown Basing Point Price* as set forth in Paragraph I, hereof, minus the all-rail transportation costs from the New England Shipping Point to Johnstown. However, the *Shipping Point Price* at any Shipping Point in New England of those grades of scrap for which prices are listed at the *Basing Points* in New England established in Paragraph I, hereof, shall be computed from those New England Basing Point Prices.

III—MAXIMUM PRICE DELIVERED TO A CONSUMER WHEREVER LOCATED

The maximum price at which any grade of scrap may be delivered to the plant of a consumer wherever located is the *Shipping Point Price* as determined in Paragraph II above, plus actual transportation charges from the *Shipping Point* to the consumer's plant. Where shipment is by water, actual handling charges at the dock of not more than 75 cents per gross ton may be included as part of transportation charges, but must be shown as separate charges on all invoices. In no case, however, shall this maximum price exceed by more than one dollar the prices set forth in Paragraph I above, for the Basing Point nearest, in terms of established transportation charges, to the consumer's plant.

IV—BILLET AND BLOOM CROPS ORIGINATING IN PITTSBURGH, PA.

Where the grade of scrap classified as billet and bloom crops originates in the Pittsburgh Basing Point, it may be sold delivered to a consumer, located within or without the Pittsburgh Basing Point, at the price established in Paragraph I, hereof, for Pittsburgh, Pa. plus not more than \$2.50 in transportation charges from the point of origin to the consumer's plant. In no case shall the consumer pay a sum in excess of the price established under Paragraph I, hereof, for the Pittsburgh Basing Point plus the lowest established charge for transporting the scrap from the point of origin to the consumer's plant.

V—UNPREPARED SCRAP

The maximum prices established hereinabove are maximum prices for *prepared* scrap.

For unprepared scrap, irrespective of source, maximum prices shall be \$2.50 less than the maximum prices for the corresponding grade or grades of *prepared* scrap.

VI—REMOTE SCRAP

Scrap located beyond the zone from which the railroad freight rate to Pittsburgh is \$11.20, shall be considered remote scrap. The *Shipping Point Price* of such scrap shall be determined as in Paragraph II hereinabove. In order to facilitate the flow of remote scrap, consumers who can establish a need for such scrap but who, because of the transportation charges involved, cannot deliver such scrap to their plants under the ceiling delivered prices established in Paragraph III, (b), above, may apply to the Office of Price Administration and Civilian Supply, Washington, D. C., for permission to absorb the additional transportation charges necessary to secure such scrap. Application by consumers must be fully detailed, including an affidavit setting forth the point of shipment of the scrap, the grade, quantity, price and shipping point, proposed delivery prices, the transportation charges from the shipping point to the nearest Basing Point, and the transportation charges from the shipping point to the consumer's plant. The application should be accompanied by an affidavit

davit from the consumer establishing its need for remote scrap and stating its willingness to accept such scrap at the price quoted.

Only applications for purchases which would involve actual delivery of 500 tons of scrap per month from one Shipping

§ 1304.17 Appendix B, Maximum prices for iron and steel scrap originating from railroads

(All the maximum prices given below are per gross ton)

I—SCRAP ORIGINATING FROM RAILROADS OPERATING IN A BASING POINT^a NAMED BELOW

A. Delivered to a consumer's plant located on the line of the Railroad from which the scrap originated.

1. Listed Grades

Basing points	Grades				
	No. 1 rail- road grade heavy melt- ing steel	Scrap rails	Rails for rerolling ^a	Scrap rails 3 feet and under	Scrap rails 2 feet and under
Pittsburgh, Pa.	\$21.00	\$21.00	\$23.50	\$24.00	\$24.25
Wheeling, W. Va.	21.00	21.00	23.50	24.00	24.25
Steubenville, Ohio	21.00	21.00	23.50	24.00	24.25
Youngstown, Ohio	21.00	21.00	23.50	24.00	24.25
Sharon, Pa.	21.00	21.00	23.50	24.00	24.25
Canton, Ohio	21.00	21.00	23.50	24.00	24.25
Kent, Ohio	21.00	21.00	23.50	24.00	24.25
Chicago, Ill.	19.75	20.75	21.75	22.75	23.00
Philadelphia, Pa.	19.75	20.75	21.75	22.75	23.00
Wilkes-Barre, Pa.	19.75	20.75	21.75	22.75	23.00
Sparks, N. Y.	19.75	20.75	21.75	22.75	23.00
Sparks Point, Md.	19.75	20.75	21.75	22.75	23.00
Cleveland, Ohio	20.50	21.50	22.50	23.50	23.75
Buffalo, N. Y.	20.50	21.50	22.50	23.50	23.75
Pittsburgh, Ohio	20.50	21.50	22.50	23.50	23.75
Middletown, Ohio	20.50	21.50	22.50	23.50	23.75
Ashland, Ky.	20.50	21.50	22.50	23.50	23.75
St. Louis, Mo.	18.50	19.50	20.50	21.50	21.75
Kansas City, Mo.	17.00	18.00	19.00	20.00	20.25
Detroit, Mich.	18.88	19.88	20.88	21.88	22.10
Dubuque, Iowa	19.00	20.00	21.00	22.00	22.25
Birmingham, Ala.	19.00	20.00	21.00	22.00	22.25
Los Angeles, Calif.	18.50	19.50	20.50	21.50	21.75
San Francisco, Calif.	18.50	19.50	20.50	21.50	21.75
Seattle, Wash.	18.50	19.50	20.50	21.50	21.75
Minneapolis, Minn.	17.50	18.50	19.50	20.50	20.75

^aRe-laying quality \$5 higher.

2. Grades Not Listed

(a) The price at which a consumer located on the line of the railroad from

operates in two or more of the basing points named above, the highest of the maximum prices established above for such basing points shall be the maximum price of the scrap delivered to a consumer's plant at any point on the railroad's line, except that switching charges of 84 cents per gross ton shall be subtracted from the maximum price of scrap originating from railroads operating in Chicago, Ill., and sold for consumption outside Chicago, Ill. This exception is applicable to maximum prices of grades not listed as determined below.

(b) For purposes of subparagraph (a) above, the maximum prices for any grade not listed in Paragraph A, 1, above shall be adjusted to allow for the average grade differentials of the railroad by:

First, computing the amount of the base grade differential for the railroad which shall be the difference between the average price per gross ton at which the railroad from which the scrap originated sold No. 1 Railroad Grade Heavy Melting Steel Scrap delivered to the plant of the consumer, whether located on or off the line of the railroad, during the period commencing September 1, 1940, and ending January 31, 1941, and the railroad's maximum price established for such grade under paragraph A, 1, above; and

Second, by applying this base grade differential to the price to be adjusted by either (1) subtracting the amount of such differential from such prices in case the railroad's average price of No. 1 Railroad Grade Heavy Melting Steel Scrap exceeds the railroad's maximum price established for such grade under Paragraph A, 1, above, or (2) adding the same in case the railroad's average price is less than such maximum.

B. Delivered to a consumer's plant located off the line of the railroad from which the scrap originated. The maximum price is either of the following, whichever is greater:

(1) The maximum price established in paragraph A above, for scrap delivered to a consumer on the line of the railroad from which the scrap originated, or, if the consumer can establish that he has been served by the same source of scrap in the past, this maximum price plus transportation charges, (including off-the-line switching charges), from the railroad's line to the consumer's plant, of not more than two dollars per gross ton for Rails for Rolling, Scrap Axes and other scrap for rolling, and of not more than one dollar per gross ton for all other grades of scrap; or

(2) The prices set forth in Paragraph A, 1, above, for the Basing Point nearest the consumer's plant.

II—SCRAP ORIGINATING FROM RAILROADS NOT OPERATING IN ANY OF THE BASING POINTS NAMED ABOVE

The maximum price of any grade of such scrap delivered to consumers lo-

cated on and off the line of the railroad shall not exceed:

(1) For the grades listed above, either of the following, whichever is less:

(a) The average price per gross ton at which the railroad originator of the scrap sold any such grade to consumers located on and off the line of the railroad during the period commencing Sept. 1, 1940 and ending Jan. 31, 1941; or

(b) The price at the Basing Point nearest, in terms of transportation costs, to the consumer's plant; and

(2) For the grades not listed above, either of the following, whichever is less:

(a) The average price per gross ton at which the railroad originator of the scrap sold any such grade to consumers located on and off the line of the railroad during the period commencing Sept. 1, 1940 and ending Jan. 31, 1941; or

(b) The average price per gross ton as determined in subparagraph (a) hereof, minus the amount by which the average price of No. 1 Railroad Grade Heavy Melting Steel scrap, as determined in (a), exceeds the price of No. 1 Railroad Grade Heavy Melting Steel scrap at the Basing Point nearest, in terms of transportation costs, to the consumer's plant.

III—SCRAP WHICH CANNOT BE IDENTIFIED AS TO ORIGIN

The maximum price per gross ton at which a consumer may purchase, delivered at his plant, any grade of railroad scrap which cannot be identified as to origin, shall not exceed the maximum price established under Appendix A of this part for the grade in which such scrap may be classified.

IV—GENERAL PROVISIONS

A. Unprepared scrap.¹

(1) Identified as to Grade. The maximum prices for unprepared scrap identifiable as to grade shall be \$2.50 less than the maximum prices for the corresponding grade or grades of prepared scrap.

(2) Unidentifiable as to Grade. Unprepared scrap which cannot be identified as to grade (for example, a box car, a

¹The maximum prices established hereinabove are maximum prices for prepared scrap.

which the scrap originated may purchase any grade of scrap not listed above shall not exceed the average price per gross ton at which such railroad sold such grade delivered to the plant of a consumer, whether located on or off the line of the railroad, during the period commencing September 1, 1940, and ending January 31, 1941, or, in case no sale was made during the period, the price at which the grade was last sold by the railroad prior thereto, and, in either event, adjusted to allow for the average grade differentials of the railroad in a manner indicated in subparagraph (b) below.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

CHAPTER I—COAST GUARD

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL OR OTHER DANGEROUS CARGO

Pursuant to the authority contained in section 1, title II of the Act of June 15, 1917, 40 Stat. 220 (U.S.C. title 50, sec. 191), and the Proclamation of the President issued June 27, 1940 (5 F.R. 2419), the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material or other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401), are hereby amended by the addition of a new paragraph to the regulations for anchorages in general under the General Rules and Regulations which is designated § 7.5 (b) (12) (designation is to numbering as it will appear in the Code of Federal Regulations, title 33, chapter I, part 7: the new subparagraph is added immediately following paragraph 11 of part I, under subdivision A, of the aforementioned regulations as they appear in 5 F.R. 4401), and which shall read as follows:

§ 7.5 General rules and regulations.

(b) (12) Whenever the captain of the port finds that the anchoring, mooring, or occupancy of space by any vessel, or other watercraft of any kind, in any anchorage ground or area, by reason of its characteristics or conditions, including, but not limited to, its length, beam, or draft, interferes with the common convenience, results in the occupation by such vessel or craft of an unreasonable proportion of the available space in any anchorage ground or area, or is inimical to the maritime interests of the United States, the national defense, or the safety of any vessel or craft, harbor, or anchorage ground or area, or results in congestion in any anchorage ground or area, the captain of the port may require such vessel or craft to quit and depart from any anchorage ground or area, or may prevent or prohibit such vessel or craft from entering, occupying, or remaining in any anchorage ground or area.

[SEAL] H. MORGENTHAU, JR.,
Secretary of the Treasury.

Approved:

FRANKLIN D. ROOSEVELT
The White House, June 17, 1941.

[F. R. Doc. 41-4354; Filed, June 18, 1941;
9:24 a. m.]

CHAPTER II—CORPS OF ENGINEERS,
WAR DEPARTMENTPART 204—DANGER ZONE REGULATIONS¹

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the following regulations are hereby prescribed to govern the use and navigation of waters of the Gulf of Mexico and Mississippi Sound, south of Horn Island and Deer Island, Mississippi, comprising aerial gunnery practice areas of the V Army Corps, Camp Beauregard, Louisiana:

§ 204.91 Waters of Gulf of Mexico and Mississippi Sound; V Army Corps Aerial Gunnery Practice Areas south of Horn Island and Deer Island, Mississippi.

THE DANGER ZONES

(a) (1) *South of Horn Island.* The aerial gunnery target range lies within the following longitudes and latitudes:

Longitude	Latitude
88°45'00"	30°13'00"
88°30'00"	30°11'00"
88°31'00"	30°05'00"
88°49'00"	30°08'00"

(2) *South of Deer Island.* The ground target range lies within the following longitudes and latitudes:

Longitude	Latitude
88°50'44"	30°22'50"
88°49'06"	30°21'54"
88°49'54"	30°19'30"
88°52'30"	30°20'36"

THE REGULATIONS

(b) (1) *Horn Island aerial target range.* Firing will take place during the daylight hours.

(2) The area will be marked with appropriate and sufficient markers by the U. S. Coast Guard.

(3) A boat will be stationed in the vicinity to enforce restriction of the area and to give aid in the event of a forced landing.

(4) A safety observer will be present on one of the airplanes engaged in target practice to stop firing at any time he discovers a ship or any other airplane in the area.

(5) Both airplanes will be in touch with each other, and at least one will be in touch with operations at the Biloxi Airport.

(6) Suitable public warnings shall be issued periodically notifying navigation of the danger area and warning all shipping to remain outside the zone.

(c) (1) *Deer Island ground target range.* This area will be marked by suitable and sufficient markers, and appropriate measures will be taken to prevent

¹ § 204.91 is added.

unauthorized craft from entering this danger area.

(2) Firing will be conducted each morning from daybreak until ten o'clock in the morning, except on Sundays and legal holidays.

(3) Suitable public warnings shall be issued periodically notifying navigation of this danger area and warning all shipping to remain outside the zone. (Sec. 7, Act of Aug. 8, 1917, 40 Stat. 266; 33 U.S.C. 1) (Regs. May 12, 1941 (E.D. 7195 (Mexico, Gulf of)—9/8))

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-4353; Filed, June 17, 1941;
3:30 p. m.]

TITLE 47—TELECOMMUNICATION

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 5060]

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

RULES APPLICABLE TO STATIONS ENGAGED IN CHAIN BROADCASTING

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1941, the Commission having under consideration its order adopted May 2, 1941¹ in Docket No. 5060 promulgating regulations applicable to radio stations engaged in chain broadcasting;

It is ordered, That the last paragraph of the said order of May 2, 1941, entered in Docket No. 5060, be and the same is hereby amended to read as follows:

It is further ordered, That the regulations in §§ 3.101-3.108 shall become effective immediately: *Provided*, That with respect to existing contracts, arrangements, or understanding, or network organization station licenses, or the maintenance of more than one network by a single network organization, the effective date shall be deferred for 90 days from the date of this Order [May 2, 1941]: *Provided further*, That the effective date of § 3.106 with respect to any station and of § 3.107 may be extended from time to time in order to permit the orderly disposition of properties.

Sec. 4 (1), Stat. 1068; 47 U.S.C. 154 (1)
By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-4356; Filed, June 18, 1941;
9:30 a. m.]

¹ 6 F.R. 2282.

TITLE 49—TRANSPORTATION AND
RAILROADSCHAPTER I—INTERSTATE COM-
MERCE COMMISSION

NOTICE REGARDING USE OF PENNSYLVANIA
TURNPIKE (TOLL HIGHWAY) BETWEEN
HARRISBURG AND PITTSBURGH, PENNSYLVANIA,
BY COMMON AND CONTRACT CARRIERS
SUBJECT TO THE INTERSTATE COMMERCE ACT

JUNE 13, 1941.

By the Commission, Division 5, Commissioners Eastman, Rogers, and Patterson:

The Commission has received many inquiries regarding the use of the Pennsylvania Turnpike between Harrisburg and Pittsburgh by common and contract carriers subject to the Interstate Commerce Act. This notice is issued for the information and guidance of all concerned.

The Pennsylvania Turnpike is a recently built modern toll highway in which there are improvements in design and construction over existing highways in that region, including the elimination of cross traffic, reduction of grades, lengthening of curves, and widening of the pavement. It roughly parallels U. S. Highway 40 through Pennsylvania and Maryland, U. S. Highway 30 through Pennsylvania and U. S. Highways 422 and 22 through Pennsylvania. The use of this highway as an alternate route by carriers authorized to operate over the above-described highways would promote economical operation, improve the service rendered to the public, serve purposes of national defense, and contribute to the promotion of safety on the highways. Only in special and unusual instances will there exist reasons for denying to any carrier operating over these parallel highways permission to use the Turnpike as an auxiliary highway. In view of the circumstances, it appears that the use of the Pennsylvania Turnpike by common and contract carriers subject to the Interstate Commerce Act who are authorized to engage in operations over the above-mentioned portions of U. S. Highways 22, 30, 40, and 422, will be consistent with the public interest and the policy of the Act in the case of contract carriers, and will be required by public convenience and necessity in the case of common carriers. Therefore, such carriers, without obtaining prior authority therefor, may use the Turnpike and such additional highways as may be required in traveling via the shortest practicable route between the authorized highways and the Turnpike in performing their authorized operations, subject to the following conditions:

1. The carrier shall give notice by a letter to the Commission (a copy of which shall be served on every known competitor) of its intention to use the Turnpike,

stating its presently authorized route and giving a complete description of the proposed route, including the points between which it intends to use the Turnpike and specifying the additional highways that will be traversed in traveling to and from the Turnpike. The letter shall state that a copy has been served upon each competitor known to the applicant, and shall include a list of such competitors.

2. The letter shall state that the carrier will continue to furnish reasonable and adequate service at points on other routes which the carrier is authorized to serve, and that it will not serve new points or points it is not now authorized to serve, and that the use of the Turnpike will not enable the carrier to engage in transportation between any points where because of the circuitry of its present routes, or otherwise, such operation is not now practicable.

3. The right to use the Turnpike as an alternate route shall continue only so long as the carrier is entitled to use the portions of the above-mentioned U. S. Highways 40, 30, 22, and 422, which are parallel to the Turnpike, when performing service authorized under the Interstate Commerce Act and only so long as the conditions mentioned herein are observed.

If any competitor or other party in interest shall be of the opinion that any carrier filing notice of intent to operate over the Turnpike does not meet the terms of the conditions specified herein, a protest may be filed within 30 days from the date the notice is given, in which case the Commission will give consideration to the application and protest and make a determination of the particular case.

Motor carriers whose authority is limited to operations over specified highways and who are not authorized to operate over the portions of the U. S. Highways above named or the Pennsylvania Turnpike, but who desire to use the Turnpike as an alternate route in performing their authorized service, must apply for such authority on Form B. M. C. 74 and receive authority before using the Turnpike. If it appears that the use of the Turnpike by such applicants does not result in a substantial change in the service between terminal points or to or from intermediate and off-route points, and does not enable the carrier to render service which is now impracticable because of the circuitry of the carrier's presently authorized route, or otherwise, consideration will be given to the granting of authority without hearing and with or without restrictions.

If a motor carrier is authorized to operate within or through Pennsylvania over irregular routes, no specific authority is required from this Commission to use the Pennsylvania Turnpike in performing the authorized service.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 41-4351; Filed, June 17, 1941;
1:05 p. m.]

Notices

WAR DEPARTMENT.

[Contract No. W 314-ord-7217]

SUMMARY OF CONTRACT FOR SUPPLIES¹

CONTRACTOR: AMERICAN BRASS COMPANY

Contract for: Bullet Jackets & Cartridge Brass Cups.

Amount: \$1,035,880.00.

Place: Frankford Arsenal, Philadelphia, Pa.

The supplies to be obtained by this instrument are authorized by, are for the purposes set forth in, and are chargeable to Stock Fund Account 314, the available balance of which is sufficient to cover cost of same.

This contract, entered into this 22nd day of October, 1940.

Scope of this contract. The contractor shall furnish and deliver Bullet Jackets and Cartridge Brass Cups for the consideration stated, being a total of \$1,035,880.00 in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

This contract authorized under the provisions of the Act of July 2, 1940, (Public, No. 703, 76th Cong.).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4366; Filed, June 18, 1941;
10:00 a. m.]

¹ Approved by the Under Secretary of War February 1, 1941.

[Contract No. W 535 ac-10190; 4879]

SUMMARY OF CONTRACT FOR SUPPLIES¹

CONTRACTOR: BEECH AIRCRAFT CORPORATION

Contract for: * * * Airplanes,
Spare Parts and Data.
Amount: \$6,171,000.00.

Place: Matériel Division, Air Corps,
U. S. Army, Wright Field, Dayton, Ohio.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover cost of same:

AC 298 P 12-30 A 0705.260-12

AC 298 P 82-30 A 0705.260-12

This contract, entered into this 9th day of May 1941.

Scope of this contract. The contractor shall furnish and deliver * * * airplanes, spare parts and data for the consideration stated six million one hundred seventy one thousand dollars (\$6,171,000.00) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

Articles and supplies called for and prices therefor. The Contractor shall furnish and deliver to the Government all the following articles and data, to-wit:

Item 1. * * * Airplanes,
total----- \$5,610,000.00

Item 2. Certain spare parts
for all of the airplanes called
for under the terms of Item
1 at a total price not ex-
ceeding----- 561,000.00

Advance payments. Advance payments may be made from time to time for the supplies called for, when the Secretary of War deems such action necessary in the interests of the National Defense.

Price adjustment. The contract prices stated in this contract for airplanes and spare parts are subject to adjustments for changes in labor and material costs.

General. It is expressly agreed that quotas for labor will not be altered on account of delays in the completion of the airplanes and spare parts.

Termination when Contractor not in default. If, in the opinion of the contracting officer upon the approval of the Secretary of War, the best interests of the Government so require, this contract may be terminated by the Government, even though the contractor be not in default, by a notice in writing relative thereto from the contracting officer to the contractor.

This contract authorized under the provisions of section 1 (a) Act of July 2, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4365; Filed, June 18, 1941;
10:00 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. 1623-FD, 1624-FD]

IN THE MATTERS OF COAL HILL MINING COMPANY, REGISTRATION No. 1675, AND POWER FUEL COMPANY, INC., REGISTRATION No. 7427, DISTRICT No. 1, DEFENDANTS

ORDER POSTPONING HEARING

The above entitled matters having been heretofore scheduled for hearings on June 19, 1941, at the Post Office Building, Punxsutawney, Pennsylvania; and

The Director deeming it advisable that said hearings should be postponed;

Now, therefore, it is ordered, That the hearing in the matter of Coal Hill Mining Company, Registration No. 1675, be postponed from 10 o'clock in the forenoon of June 19, 1941, until 10 o'clock in the forenoon of July 14, 1941, and that the hearing in the matter of Power Fuel Company, Inc., Registration No. 7427, be postponed from 2 o'clock in the afternoon of June 19, 1941, to 2 o'clock in the afternoon of July 14, 1941, at a hearing room of the Bituminous Coal Division at the Post Office Building, Punxsutawney,

Pennsylvania, before the officers previously designated to preside at said hearings.

Dated: June 17, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4357; Filed, June 18, 1941;
9:51 a. m.]

[Docket No. A-12]

PETITION OF DISTRICT BOARD NO. 13 FOR RELIEF AS INDICATED HEREIN, AND RELATED MATTERS

MEMORANDUM OPINION CONCERNING EXCEPTIONS TO THE EXAMINER'S REPORT AND ORDER OVERRULING MOTION FOR REHEARING

This proceeding was instituted on a petition of District Board 13 filed with the Bituminous Coal Division August 21, 1940, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. Pursuant to an Order of the Director, a hearing was duly held before a designated Examiner of the Division on October 24, 1940. Consumers' Counsel Division, among other parties, appeared and participated.

On November 1, 1940, Consumers' Counsel Division filed a brief before the Trial Examiner. Thereafter, on March 3, 1941, the Examiner filed his Report, containing Proposed Findings of Fact and Conclusions of Law and his Recommendations of an appropriate order. On April 19, 1941, a final order was entered by the Director, approving and adopting the Report of the Examiner, granting certain permanent relief, and denying certain other relief prayed for by District Board 13.

On May 12, 1941, Consumer's Counsel Division filed a petition for rehearing pursuant to Rule XXIII of the Rules of Practice and Procedure before the Division, on the ground that Consumers' Counsel Division had not been served with a copy of the Examiner's Report and did not know that such report had been made and filed until the final order of the Director had been entered and served. The petitioner requests that the final Order be set aside, that its brief heretofore filed in this proceeding be taken and considered as its exceptions to the Examiner's Report, and that a final Order be entered in accordance with the contentions therein set forth.

In its original petition, District Board 13 requested relief in regard to five separate distinct matters. The brief of Consumers' Counsel Division was concerned with only three of these. In regard to one—the request for a 10¢ increase in the effective price for shipments to all destinations except Eufaula in Market Area 145, Consumers' Counsel Division urged that the relief requested be denied. Since such relief was denied in the final order of the Director, Consumers' Counsel Division's contention

¹ Approved by the Under Secretary of War May 15, 1941.

has been upheld and requires no further consideration.

Two other requests for relief, however, opposed by the Consumers' Counsel Division, were granted. With respect to these two points, I shall treat the contentions contained in the brief of Consumers' Counsel Division as its exceptions to the Examiner's Report.

The first matter involved concerns Price Exception 4 in the Schedule of Effective Minimum Prices for District 13 for All Shipments Except Truck, relating to the absorption of freight differentials. This price exception permitted absorption, under certain conditions, of freight differentials between mines shipping by rail, and between mines shipping by river, but did not permit absorption of freight differentials of rail mines against river mines, or vice versa. The absorptions permitted were limited to 25 cents per ton. District Board 13 requested that such absorptions be permitted also for rail mines against river mines, or vice versa. I have reexamined the evidence, and the entire record, upon this point, including the brief filed by the Consumers' Counsel Division. Consumers' Counsel Division opposes the unqualified granting of this request, since it fears that consumers will be deprived of the benefits of the cheaper river transportation. For example, it is urged, the absorption would take the form of a "plussing" of the mine price for river shipment, and thereby benefits of consumers derived from the saving accompanying river transportation would tend to be nullified. However, the uncontroverted evidence shows that there would be no "plussing" in any event, the effect of granting the relief requested being to reduce prices to the consumer. Consumers' Counsel Division's further opposition to the absorption, even if limited to reductions only, is based on the contention that, in the long run, freight absorptions can be injurious to consumers. However, it is not pointed out how such a result could follow in the District 13 situation involved in this proceeding. As noted in the Examiner's Report, the situation in District 13 is peculiarly restricted to three or four mines on the Warrior River, and the evidence does not show that any injury to consumers could follow the granting of the relief requested.

The second point in controversy relates to a request by District Board 13 for an increase of 23¢ per ton in the f. o. b. mine prices applicable to Mine Index Nos. 93, 94 and 96 for shipment to Market Area 112, in order to correct an error arising out of the fact that after the close of the hearing in General Docket No. 15, there was a change of 23¢ in the freight rates applicable for shipment of the coals of these mines to that area, which was not brought to the attention of the Examiners and therefore not reflected in their findings.

I have carefully reexamined the arguments of Consumers' Counsel Division in opposition, the Examiner's Report, and the entire record, and upon the basis

thereof, I find that the exceptions filed by the Consumers' Counsel Division in that respect are not well taken.

It is, therefore, ordered, That the exceptions of Consumers' Counsel Division to the Examiner's Report are without merit, and that such exceptions be and they are hereby denied.

It is further ordered, That the motion for rehearing be and it is hereby denied. Dated: June 17, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4359; Filed, June 18, 1941;
9:51 a. m.]

[Docket Nos. A-340, A-394, A-413, A-418,
A-445, A-479, A-510, A-545, A-627, A-651,
A-710]

PETITIONS OF STERLING SMOKELESS COAL COMPANY; DANIEL COAL COMPANY; ERNEST BRUNS; JOHN F. WILLIS, ET AL.; MILLER BROTHERS; SHERRODSVILLE COAL COMPANY; JAMES PALERMO; GEORGE ROSS; GEORGE KUFFNER, AND WILLIAM SHEET; HILL BROTHERS COAL COMPANY, HILL - MOSHANNON COAL COMPANY; KLEEN COAL COMPANY; AND KATHRYN HOFFMASTER, HOFFMASTER COAL COMPANY

ORDER TO SHOW CAUSE WHY PETITIONS
SHOULD NOT BE DISMISSED

It appears that various original petitions or other documents praying for relief under section 4 II (d) of the Bituminous Coal Act of 1937 have been filed by producers with the Bituminous Coal Division in the above-entitled matters and should be dismissed for reasons set forth below, unless good cause be shown why a different course of action should be followed:

In Docket No. A-340, Sterling Smokeless Coal Company (District No. 7) requested a reduction of the effective minimum price for 1,250 net tons of coal for all shipments except truck, Size Group No. 6, on the ground that it had seriously deteriorated and degraded, and that inability to move such coal had resulted in general cessation of operations at the mine. The granting of temporary relief by Order dated November 9, 1940, concerning the subject matter involved appears to obviate any necessity for further action in this docket.

In Docket No. A-394, Daniel Coal Company (District No. 4) requested the establishment of minimum prices for all shipments except truck. A hearing was not set in this matter and the granting of final relief by Order dated December 23, 1940, in Docket No. A-462 concerning the subject involved appears to obviate any necessity for further action in this docket.

In Docket No. A-413, Ernest Bruns (District No. 4) requested a change in minimum prices for truck shipments. By letter of December 23, 1940, the Director informed the producer that his communication was not in proper form to be considered a 4 II (d) petition. No

further communication in this docket has been received by the Division.

In Docket No. A-418, John F. Willis, et al., (District No. 4) requested a change in minimum prices for truck shipments. It appears from the informal conference held on December 3, 1940, that the petitioner did not desire to prosecute the petition any further.

In Docket No. A-445, Miller Brothers (District No. 4) requested a change in minimum prices for truck shipments. By letter of December 14, 1940, the Director informed the producer that the petition was not in proper form to be considered as a 4 II (d) petition. No further communication in this docket has been received by the Division.

In Docket No. A-479, Sherrodsville Coal Company (District No. 4) requested the establishment of minimum prices for truck shipments and for all shipments except truck. At an informal conference held in this matter on January 15, 1941, the petitioner indicated that it would be satisfied if price classifications and minimum prices were established for its coals in conformity with those established for other comparable and analogous coals. A hearing was not set in this matter and the granting of temporary relief by Order dated November 18, 1940, in Docket No. A-260 concerning the subject involved appears to obviate any necessity for further action in this docket.

In Docket No. A-510, James Palermo (District No. 4) requested the establishment of minimum prices for truck shipments. An informal conference was set in this matter on February 3, 1941. The petitioner did not appear. A hearing was not set in this matter and the establishment of effective minimum prices for the mine, involved in Supplement No. 2 to the Schedule of Effective Minimum Prices for District No. 4 For Truck Shipments, effective October 7, 1940, appears to obviate any necessity for further action in this docket.

In Docket No. A-545, George Ross, George Kuffner, and William Sheet (District No. 13) requested a change in minimum prices for truck shipments. By letter of January 8, 1941, the Director informed these producers that their communication was not in proper form to be considered as a 4 II (d) petition. No further communication in this docket has been received by the Division.

In Docket No. A-627, Hill Brothers Coal Company, Hill-Moshannon Coal Company (District No. 1) requested a change in minimum prices for truck shipments and all shipments except truck. By letter of February 8, 1941, the Director informed the producer that its communication was not in proper form to be considered as a 4 II (d) petition. No amendment to said communication filed in this docket has been received by the Division.

In Docket No. A-651, Kleen Coal Company (District No. 4) requested a change in minimum prices for truck shipments. By letter of March 6, 1941, the Director informed the producer that its communi-

cation was not in proper form to be considered as a 4 II (d) petition. No further communication in this docket has been received by the Division.

In Docket No. A-710, Kathryn Hoffmaster, Hoffmaster Coal Company (District No. 4) requested a change in minimum prices for truck shipments. By letter of March 12, 1941, the Director informed the producer that its communication was not in proper form to be considered as a 4 II (d) petition. No further communication in this docket has been received by the Division.

Now, therefore, it is ordered, That the petitioners show cause why the foregoing proceedings should not be dismissed, at a hearing before J. D. Dermody or any other officer of the Division duly designated to preside at such hearing on July 17, 1941, at 9 a. m., at a hearing room of the Division, 734 15th Street, N. W., Washington, D. C., at which time the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

The dismissal of any proceeding pursuant to this Order shall be without prejudice to the rights of the aforesaid petitioners to file petitions with the Division in regard to the same matters pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: June 17, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4360; Filed, June 18, 1941;
9:51 a. m.]

[Docket No. A-564]

PETITION OF DISTRICT BOARD NO. 6 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 6 NOT HERETOFORE CLASSIFIED AND PRICED

ORDER OF THE DIRECTOR GRANTING, IN PART, TEMPORARY RELIEF

The above named petitioner filed an original petition under section 4 II (d) of the Bituminous Coal Act of 1937, requesting price classifications and minimum prices for all shipments except truck for certain mines in District No. 6 not heretofore classified for such shipments, but which have previously been classified for truck shipment. The petition also requested price classifications and minimum prices for the coal of several mines which have not heretofore been classified in any way. The petition requested temporary relief pending the final disposition of the petition.

An informal conference was held on January 27, 1941 upon due notice to interested parties. Petitioner and Valley Camp Coal Company were represented at the informal conference. Pursuant to Order of the Director on March 5, 1941, a hearing was held at which the same

parties appeared together with the Hancock Coal Company and the General Counsel's Division of the Bituminous Coal Division.

An Order of the Director based on the data adduced, and the views expressed at the informal conference was entered on March 28, 1941 granting temporary relief, in part, by the establishment of minimum f. o. b. mine prices for truck shipments of certain coals not heretofore priced and denying it as to all other relief requested.

In view of the additional testimony and data given at the hearing, the request for temporary relief has been carefully reconsidered by the Director and it appearing that a reasonable showing of the necessity for granting additional temporary relief in regard to rail prices has been made but that further consideration must be given to the question of whether petitioner has made a showing of the necessity for the granting of river prices for the designated mines involved; and

The Director deeming his action necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending final disposition of the petition in the above entitled matter, temporary relief be, and the same is, hereby granted as follows: Commencing forthwith the prices for shipments of coal by rail for the mines in District No. 6 involved in this proceeding shall be as set forth in the Temporary Supplement annexed hereto and made a part hereof supplementing the Schedule of Effective Minimum Prices for District No. 6 for All Shipments Except Truck.

Notice is hereby given that applications to stay, modify or terminate the temporary relief granted in this order may be filed in accordance with the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: June 17, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4361; Filed, June 18, 1941;
9:52 a. m.]

[Docket No. A-620]

PETITION OF DISTRICT BOARD 9 REQUESTING AN INCREASE IN THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR CERTAIN COALS PRODUCED IN DISTRICT NO. 9 FOR TRUCK SHIPMENT, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION AND CANCELLING HEARING

The original petitioner having moved that the proceedings in the above-entitled matter be dismissed without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the above-entitled matter be dismissed with-

out prejudice, that the hearing thereon scheduled on June 18, 1941, at Owensboro, Kentucky, be cancelled, and that the proceedings in this docket be closed.

Dated: June 17, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4358; Filed, June 18, 1941;
9:51 a. m.]

[Docket No. A-780]

PETITION OF DELTA MINING COMPANY, SAHARA COAL COMPANY AND THE UNITED ELECTRIC COAL COMPANIES, CODE MEMBER PRODUCERS IN DISTRICT NO. 10, FOR MINIMUM F. O. B. MINE PRICES FOR F. A. S. DELIVERY FROM DISTRICT NO. 10 TO RETAIL DEALERS AT MINNEAPOLIS AND ST. PAUL

ORDER GRANTING LEAVE TO AMEND THE ORIGINAL PETITION; NOTICE OF CONTINUANCE OF HEARING

This is a proceeding instituted upon an original petition filed by the above-named parties, alleging, *inter alia*, that prior to the establishment of effective minimum prices coals from District No. 10 had been shipped by rail-and-river to retail dealers, on or over the municipal docks, at Minneapolis and St. Paul at a savings over comparable coals moving all-rail and that such shipments would have continued but for the establishment of effective minimum prices, and requesting the establishment of minimum f. o. b. mine prices for f. a. s. delivery from District No. 10 to retail dealers in Minneapolis and St. Paul. By order of the Director dated April 18, 1941, this matter was set for hearing. The hearing was held on May 27, 28, and 29, 1941, and on May 29, by direction of W. A. Cuff, the duly designated trial examiner, the hearing was continued until 10 o'clock in the forenoon of July 15, 1941.

On May 29, 1941, during the hearing, petitioners by written motion requested leave to amend their original petition, in order more clearly to define the issues involved, by requesting, as alternative relief (if the Director should construe section 3 (A) of the Special River Price Instructions and Exceptions, Schedule of Effective Minimum Prices for District No. 10 as being inapplicable), the establishment of just and equitable prices under section 4 II (d) of the Bituminous Coal Act of 1937.

It is ordered, That petitioners' request for leave to amend their original petition be and is hereby granted.

It is further ordered, That at the hearing in the above matter, as continued, evidence may be adduced on the issues presented by the amendment to the petition filed herein on May 29, 1941.

It is further ordered, That such hearing will be held at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On the day of such hearing the Chief of the Records Section, Room 502, will advise as to the room where such hearing will be held.

Notice of the amendment to the petition and the continuance of the hearing is hereby given to all parties herein and to all persons and entities having an interest in this proceeding and eligible to become a party herein. Any person not already admitted as a party to this proceeding and desiring to be so admitted because of the amendment of the original petition may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the amended petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 13, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern in addition to the matters specifically alleged in the original petition, other matters necessarily incidental and related thereto, which may be raised by the amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the establishment of effective minimum prices for f. a. s. delivery, or in the alternative, the establishment of just and equitable prices under section 4 II (d) of the Act, for the coals from the mines of the Delta Coal Mining Company, Sahara Coal Company, and the United Electric Companies in District No. 10 for sale and delivery to retail dealers, on and over the municipal docks, in Minneapolis and St. Paul.

Dated: June 17, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4362; Filed, June 18, 1941;
9:52 a. m.]

General Land Office.

[Circular No. 1487]

REGULATIONS FOR THE SALE OF TOWN LOTS IN THE TOWN SITES OF DEAVER AND FRANNIE, WYOMING

1. *Statutory authority.* The lots in the town sites of Deaver and Frannie, Wyoming, will be disposed of in accordance with the act of June 11, 1910 (36 Stat. 465; 43 U.S.C. 564, 565).

2. *Area and price.* The area and minimum price of the lots which will be sold are shown by the attached schedule.

3. *Public sale.* On August 14, 1941, at 10:00 a. m., at the front door of the Deaver Irrigation District Office, Deaver, Wyoming, a sale at public auction will be held. The Register, District Land Office at Cheyenne, Wyoming, has been

designated as superintendent of the sale and Mr. A. E. Beseda as auctioneer.

4. *Terms of sale.* Full payment for the lots may be made in cash on the date of sale, or one-fifth in cash and the balance of the purchase price in not to exceed four equal annual installments with interest at six percent per annum on the deferred payments, the deferred payments to be made to the Register, District Land Office at Cheyenne, Wyoming. If the deferred payments are not made when due the money deposited will be forfeited and the lots will be subject to further disposition.

5. *Authority of superintendent.* The superintendent conducting the sale is authorized to reject any and all bids for any lot, and to suspend, adjourn, or postpone the sale of any lot or lots to such time and place as he may deem proper. After all the lots have been offered, the superintendent will close the sale, and all lots remaining unsold after the close of the public sale, and all forfeited lots, will be subject to private entry at the District Land Office at Cheyenne, Wyoming, at the appraised value for cash in full at the time of entry.

6. *Reservations.* Frannie Town Site was included in Petroleum Reserve No. 41, Wyoming No. 16, by Executive order of December 8, 1915. Therefore, patent must issue on all lots sold in that town site with a reservation to the United States of all oil and gas content in the land, together with the right to prospect for, mine, and remove the same.

7. *Warning.* All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously, or which will in any way hinder or embarrass the sale. Any persons so offending will be prosecuted under section 59 of the Criminal Code of the United States (U.S.C., title 18, sec. 113).

FRED W. JOHNSON,
Commissioner.

Approved: June 4, 1941.

OSCAR L. CHAPMAN,
Assistant Secretary.

TOWN LOTS IN DEAVER, WYOMING

Block	Lot	Area (square feet)	Appraisal
35	23	3,500	\$75.00
35	24	3,500	75.00
35	25	3,500	75.00
35	26	3,500	75.00
35	27	3,500	75.00
35	28	3,500	75.00
35	29	3,500	75.00
35	31	3,500	75.00
35	12	3,500	75.00
35	18	3,500	25.00
35	20	3,500	25.00
35	21	3,500	25.00
35	22	3,500	25.00
35	23	3,500	25.00
35	24	3,500	25.00
35	25	3,500	25.00
35	26	3,500	25.00
35	27	3,500	25.00
35	28	3,500	25.00
35	29	3,500	25.00
35	30	3,500	25.00
37	1	3,500	25.00
37	2	3,500	15.00
37	3	3,500	15.00
37	4	3,500	15.00

TOWN LOTS IN DEAVER, WYOMING

Block	Lot	Area (square feet)	Appraisal
37	5	3,500	\$15.00
37	6	3,500	15.00
37	7	3,500	15.00
37	8	3,500	15.00
37	9	3,500	15.00
37	10	3,500	15.00
37	11	3,500	15.00
37	12	3,500	15.00
37	19	7,000	15.00
37	20	7,000	15.00
37	21	7,000	15.00
37	22	7,000	15.00
37	23	7,000	15.00
37	24	7,000	25.00
38	1	7,000	50.00
38	2	7,000	30.00
38	6	7,000	30.00
38	9	7,000	50.00
46	7	7,000	30.00
47	1	3,500	25.00
47	2	3,500	15.00
47	3	3,500	15.00
47	4	3,500	15.00
47	5	3,500	15.00
47	6	3,500	15.00
47	7	3,500	15.00
47	8	3,500	15.00
47	9	3,500	15.00
47	10	3,500	15.00
47	11	3,500	15.00
47	12	3,500	15.00
47	13	3,500	15.00
47	14	3,500	15.00
47	15	3,500	15.00
47	16	3,500	25.00
47	17	7,000	50.00
47	18	7,000	30.00
47	19	7,000	30.00
47	20	7,000	30.00
47	21	7,000	30.00
47	22	7,000	30.00
47	23	7,000	30.00
48	5	3,500	25.00
48	9	3,500	25.00
48	11	3,500	25.00
48	13	3,500	25.00
48	15	3,500	25.00
48	20	3,500	25.00
48	21	3,500	25.00
48	22	3,500	25.00
48	23	3,500	25.00
48	24	3,500	25.00
48	25	3,500	25.00
48	26	3,500	25.00
48	27	3,500	25.00
49	17	3,500	35.00
49	18	3,500	25.00
49	19	3,500	25.00
49	20	3,500	25.00
49	21	3,500	25.00
49	22	3,500	25.00
49	23	3,500	25.00
49	24	3,500	25.00
49	25	3,500	25.00
49	26	3,500	25.00
49	27	3,500	25.00
49	29	3,500	25.00
49	30	3,500	25.00
62	1	7,000	50.00
62	2	7,000	30.00
62	3	7,000	30.00
62	4	7,000	30.00
62	5	7,000	30.00
62	6	7,000	30.00
62	7	7,000	30.00
62	8	7,000	50.00
62	9	3,500	25.00
62	10	3,500	15.00
62	11	3,500	15.00
62	12	3,500	15.00
62	13	3,500	15.00
62	14	3,500	15.00
62	15	3,500	15.00
62	16	3,500	15.00
62	17	3,500	15.00
62	18	3,500	15.00
62	19	3,500	15.00
62	20	3,500	15.00
62	21	3,500	15.00
62	22	3,000	15.00
62	23	3,000	15.00
62	24	3,000	25.00
63	1	3,000	25.00
63	2	3,000	15.00
63	3	3,000	15.00
63	4	3,000	15.00
63	5	3,000	15.00
63	6	3,000	15.00
63	7	3,000	15.00
63	8	3,000	15.00
63	9	3,000	15.00
63	10	3,000	15.00
63	11	3,500	15.00
63	12	3,500	15.00
63	13	3,500	15.00

TOWN LOTS IN DEEVER, WYOMING—Con.

Block	Lot	Area (square feet)	Appraisal
63	14	3,500	\$15.00
63	15	3,500	15.00
63	16	3,500	25.00
63	17	3,500	15.00
63	18	3,500	15.00
63	19	3,500	15.00
63	20	3,500	15.00
63	21	3,500	15.00
63	22	3,500	15.00
63	23	3,500	15.00
63	24	3,500	15.00
63	25	3,500	15.00
63	26	3,500	15.00
63	27	3,500	15.00
63	28	3,500	15.00
63	29	3,500	15.00
63	30	3,500	15.00
63	31	3,500	15.00
63	32	3,500	25.00
65	1	7,000	50.00
65	13	7,000	30.00
65	14	7,000	30.00
76	1	7,000	50.00
76	9	7,000	50.00
76	10	7,000	30.00
76	11	7,000	30.00
76	12	7,000	30.00
76	13	7,000	30.00
76	14	7,000	30.00
77	1	7,000	30.00
77	5	7,000	30.00
77	6	7,000	30.00
77	7	7,000	30.00
77	8	7,000	50.00
77	9	7,000	50.00
77	10	7,000	30.00
77	11	7,000	30.00
77	12	7,000	30.00
77	13	7,000	30.00
77	14	7,000	30.00
77	15	7,000	30.00
77	16	7,000	50.00

TOWN LOTS IN FRANNIE, WYOMING

22	1	7,000	\$60.00
22	2	7,000	50.00
22	3	7,000	50.00
22	4	7,000	50.00
22	5	7,000	50.00
22	6	7,000	50.00
22	7	7,000	50.00
22	8	7,000	60.00
22	9	3,500	35.00
22	10	3,500	25.00
22	11	3,500	25.00
22	12	3,500	25.00
22	13	3,500	25.00
22	14	3,500	25.00
22	15	3,500	25.00
22	16	3,500	25.00
22	17	3,500	25.00
22	18	3,500	25.00
22	19	3,500	25.00
22	20	3,500	25.00
22	21	3,500	25.00
22	22	3,500	22.00
22	23	3,500	25.00
22	24	3,500	35.00
23	1	7,000	60.00
23	2	7,000	50.00
23	3	7,000	50.00
23	4	7,000	50.00
23	5	7,000	50.00
23	6	7,000	50.00
23	7	7,000	50.00
23	11	3,500	35.00
23	14	3,500	35.00
23	15	3,500	35.00
23	16	3,500	35.00
23	17	3,500	35.00
23	18	3,500	35.00
23	19	3,500	35.00
23	20	3,500	35.00
23	21	3,500	35.00
23	22	3,500	35.00
23	23	3,500	35.00
23	24	3,500	50.00
24	1	3,500	50.00
24	2	3,500	35.00
24	3	3,500	35.00
24	4	3,500	35.00
24	5	3,500	35.00
24	6	3,500	35.00
24	7	3,500	35.00
24	8	3,500	35.00
24	9	3,500	35.00
24	10	3,500	35.00
24	11	3,500	35.00
24	12	3,500	35.00
24	13	3,500	35.00
24	14	3,500	35.00
24	15	3,500	35.00
24	32	3,500	100.00

TOWN LOTS IN FRANNIE, WYOMING
—Continued

Block	Lot	Area (square feet)	Appraisal
25	1	3,500	\$35.00
25	2	3,500	25.00
25	3	3,500	25.00
25	4	3,500	25.00
25	5	3,500	25.00
25	6	3,500	25.00
25	7	3,500	25.00
25	8	3,500	25.00
25	9	3,500	25.00
25	10	3,500	25.00
25	11	3,500	25.00
25	12	3,500	25.00
25	13	3,500	25.00
25	14	3,500	25.00
25	15	3,500	25.00
25	16	3,500	35.00
25	20	3,500	25.00
25	21	3,500	25.00
25	22	3,500	25.00
25	23	3,500	25.00
25	24	3,500	25.00
25	25	3,500	25.00
25	26	3,500	25.00
25	27	3,500	25.00
25	28	3,500	25.00
25	29	3,500	25.00
25	30	3,500	25.00
25	31	3,500	25.00
33	2	7,000	50.00
33	4	7,000	50.00
33	6	7,000	60.00
33	7	7,000	60.00
34	1	3,500	35.00
34	2	3,500	25.00
34	3	3,500	25.00
34	4	3,500	25.00
34	5	3,500	25.00
34	6	3,500	25.00
34	7	3,500	25.00
34	8	3,500	25.00
34	9	3,500	25.00
34	10	3,500	25.00
34	11	3,500	12.00
34	12	3,500	25.00
34	13	3,500	25.00
34	14	3,500	25.00
34	17	7,000	60.00
34	18	7,000	50.00
34	20	7,000	50.00
34	21	7,000	50.00
34	22	7,000	50.00
34	23	7,000	50.00
35	1	3,500	100.00
35	2	3,500	75.00
35	3	3,500	75.00
35	4	3,500	75.00
35	6	3,500	75.00
35	7	3,500	75.00
35	8	3,500	75.00
35	9	3,500	75.00
35	11	3,500	75.00
35	17	7,000	60.00
35	18	7,000	50.00
35	19	7,000	50.00
35	20	7,000	50.00
35	21	7,000	50.00
35	22	7,000	50.00
35	23	7,000	50.00
36	1	7,500	60.00
36	2	7,500	50.00
36	3	7,500	50.00
36	4	7,500	50.00
36	5	7,500	50.00
36	6	7,500	50.00
36	7	7,500	50.00
36	8	7,500	60.00
36	9	7,500	60.00
36	10	7,500	50.00
36	11	7,500	50.00
36	12	7,500	50.00
36	13	7,500	50.00
36	14	7,500	50.00
36	15	7,500	50.00
36	16	7,500	60.00
37	1	7,500	60.00
37	2	7,500	50.00
37	3	7,500	50.00
37	4	7,500	50.00
37	5	7,500	50.00
37	6	7,500	50.00
37	7	7,500	50.00
37	8	7,500	60.00
37	9	7,500	60.00
37	10	7,500	50.00
37	16	7,500	60.00
38	1	7,500	60.00
38	3	7,500	50.00
38	4	7,500	50.00
38	6	7,500	60.00
38	7	7,500	50.00

[F. R. Doc. 41-4281; Filed, June 16, 1941;
10:30 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 599]

ALLOCATION OF FUNDS FOR LOANS

JUNE 12, 1941.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation: Amount
South Dakota 1013A1 Custer..... \$72,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-4369; Filed, June 18, 1941;
11:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 19, 1941. The Certificates may be cancelled in the

manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Berck Neckwear Company, 730 South Los Angeles Street, Los Angeles, California; Apparel; Sportswear, Loafer Jackets, Neckties; 5 learners (75% of the applicable hourly minimum wage); June 19, 1942.

Cleveland Overall Company, 1768 East 25th Street, Cleveland, Ohio; Apparel; Coveralls, Coats, Work Shirts & Pants; 20 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Essex Manufacturing Company, Franklin Avenue, Essex, Maryland; Apparel; Pants; 28 learners (75% of the applicable hourly minimum wage); October 16, 1941.

The Fitz Overall Company, 826 Commercial Street, Atchison, Kansas; Apparel; Overalls, Jackets, Pants; 2 learners (75% of the applicable hourly minimum wage); September 11, 1941.

J. Freezer and Son, Inc., Floyd, Virginia; Apparel; Dress Shirts; 11 learners (75% of the applicable hourly minimum wage); October 2, 1941.

J. Freezer & Son, Inc., Rural Retreat, Virginia; Apparel; Men's Dress Shirts; 8 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Karmel Manufacturing Company, 6th & Locust Streets, Mt. Carmel, Pennsylvania; Apparel; Ladies' Dresses, Blouses & Other Wearing Apparel; 31 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Kurzen Brothers Company, Inc., 317 Sibley Street, St. Paul, Minnesota; Apparel; Men's Overcoats; 5 learners (75% of the applicable hourly minimum wage); June 19, 1942.

Lee Manufacturing Company, 1372 South Main Street, Port Griffith, Pennsylvania; Apparel; Dresses; 50 learners (75% of the applicable hourly minimum wage); October 16, 1941.

R. Lowenbaum Manufacturing Company, Sparta, Illinois; Apparel; Dresses; 25 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Powellville Shirt Company, Powellville, Maryland; Apparel; Work Shirts & Dungarees; 5 learners (75% of the applicable hourly minimum wage); June 19, 1942.

Rainbow Sportswear Company, 317 Dwight Street, Springfield, Massachusetts; Apparel; Raincoats, Suede Jackets; 2 learners (75% of the applicable hourly minimum wage); June 19, 1942.

Richmond Clothing Manufacturing Company, 322 Seventh Street, Richmond, California; Apparel; Trousers, Jackets; 1 learner (75% of the applicable hourly minimum wage); June 19, 1942.

Rite Form Corset Company, Inc., 635 Sixth Avenue, New York, New York; No. 119—5

Apparel; Corsets & Brassieres; 5 learners (75% of the applicable hourly minimum wage); October 16, 1941.

I. Spiewak & Sons, 346 Claremont Avenue, Jersey City, New Jersey; Apparel; Leather Jackets; 4 learners (75% of the applicable hourly minimum wage); September 11, 1941.

Sunbury Manufacturing Co., Inc., Second & Spruce Streets, Sunbury, Pennsylvania; Apparel; Ladies' Dresses, Blouses; 7 learners (75% of the applicable hourly minimum wage); October 2, 1941.

Teitz Brothers, 7 First Avenue, Raritan, New Jersey; Apparel; Pants; 10 percent (75% of the applicable hourly minimum wage); September 11, 1941.

Willards Shirt Company, Willards, Maryland; Apparel; Work Shirts; 5 learners (75% of the applicable hourly minimum wage); June 19, 1942.

Good Luck Glove Company, Washington and College Street, Carbondale, Illinois; Gloves; Work Gloves; 10 learners; December 19, 1941.

Kateri Cooperative, De Smet, Idaho; Gloves; Leather Dress Gloves; 25 learners; June 19, 1942.

Argus Hosiery Mills, Inc., Sevierville, Tennessee; Hosiery; Full fashioned hosiery; 5 percent; June 19, 1942.

Argus Hosiery Mills, Inc., Sevierville, Tennessee; Hosiery; Full fashioned hosiery; 5 learners; February 19, 1942.

Chipman LaCrosse Hosiery Mills Co., Co., Inc., Hendersonville, N. C.; Hosiery; Seamless Hosiery; 15 learners; February 19, 1942.

Marion Hosiery Mills, 117 W. Court Street, Marion, North Carolina; Hosiery; Seamless Hosiery; 4 learners; June 19, 1942.

Milton Hosiery Mills, Inc., Maple Avenue, Milton, Pennsylvania; Hosiery; Full fashioned hosiery; 5 percent; June 19, 1942.

Milton Hosiery Mills, Inc., Maple Avenue, Milton, Pennsylvania; Hosiery; Full fashioned hosiery; 5 learners; February 19, 1942.

Paul Knitting Mills, Pulaski, Virginia; Hosiery; Seamless Hosiery; 5 percent; June 19, 1942.

Slatedale Knitting Mills, Inc., Slatedale, Pennsylvania; Hosiery; Seamless Hosiery; 5 learners; June 19, 1942.

Mr. C. A. Wanner, Fleetwood, Pennsylvania; Hosiery; Seamless Hosiery; 14 learners; February 19, 1942.

Art Knitting Mills, 6 Sackett Street, Hicksville, New York; Knitted Wear; Knitted Outerwear; 5 learners; June 19, 1942.

Julius Kayser & Company, 453 DeKalb Avenue, Brooklyn, New York; Knitted Wear, Knitted Underwear; 11 learners; September 11, 1941.

The Conrad Manufacturing Company, 217 Conant Street, Pawtucket, Rhode Island; Textile; Braided Narrow Fabrics; 3 learners; June 19, 1942.

Macon Textiles, Inc., Lake Street, Macon, Georgia; Textile; Cotton, Rayon & Wool; 5 learners; September 4, 1941.

Macon Textiles, Inc., Lake Street, Macon, Georgia; Textile; Cotton, Rayon & Wool; 3 percent; June 19, 1942. (This certificate replaces one issued effective January 27, 1941, for 3 learners.)

Manetta Mills, Lando, South Carolina; Textile; Blankets; 3 percent; June 19, 1942.

Monarch Textile Corporation, 206 Globe Mills Avenue, Fall River, Massachusetts; Textile; Bedspreads; 50 learners; October 2, 1941.

Simpsonville Plant of Woodside Cotton Mills Company, First Street, Simpsonville, South Carolina; Textile; Cotton Twills, Pajama checks, Rayon fabrics; 3 percent; June 19, 1942.

Signed at Washington, D. C., this 18th day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-4875; Filed, June 18, 1941; 11:52 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder. (August 16, 1940, 5 F.R. 2862) to the employers listed below effective June 19, 1941.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME, AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Daniel S. Mellin, 145 Ninth Street, Passaic, New Jersey; Hand Machine Embroidery on Handkerchiefs, Linens and Kindred Products; 2 learners; 6 weeks for any one learner; 28 cents per hour; Spanner-Helper; December 19, 1941.

"Take-Along" Travel Chair Company, Thomasville, Georgia; Patented Folding Beach Chairs, Solariums, Wooden Slat Top Stools and Chairs, Yacht Chairs and Deck Chairs; 3 learners; 8 weeks for any one learner; 25 cents per hour; Wood-

working Machine Operator; August 28, 1941.

"Take-Along" Travel Chair Company, Thomasville, Georgia; Patented Folding Beach Chairs, Solariums, Wooden Slat Top Stools and Chairs, Yacht Chairs and Deck Chairs; 2 learners; 4 weeks for any one learner; 25 cents per hour; Assembler; July 31, 1941.

Wilson Memindex Company, 163 St. Paul Street, Rochester, New York; Combination Pocket and Desk and Card Index Cases; 1 learner; 12 weeks for any one learner; 30 cents per hour; Making leather pocket card cases, feeding and operating printing presses, automatic card cutting machines, leather folding machines, round-cornering machines and hand presses, and assembling orders for shipment and other operations in the manufacture of "Memindex" products; January 1, 1942.

Signed at Washington, D. C., this 18th day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-4376; Filed, June 18, 1941;
11:52 a. m.]

NOTICE OF HEARING ON MINIMUM WAGE
RECOMMENDATION OF INDUSTRY COM-
MITTEE NO. 20 FOR THE SINGLE PANTS,
SHIRTS, AND ALLIED GARMENTS INDUSTRY

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on February 8, 1941, by Administrative Order No. 83, appointed Industry Committee No. 20 for the Single Pants, Shirts, and Allied Garments Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas, Industry Committee No. 20, on April 16, 1941, recommended a minimum wage rate for the Single Pants, Shirts, and Allied Garments Industry and duly adopted a report containing said recommendation and reasons therefor and has filed such report with the Administrator on April 18, 1941, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas, the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 20 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing before him, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out

the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 20 is as follows:

Every employer shall pay not less than 40 cents per hour to each of his employees in the Single Pants, Shirts, and Allied Garments Industry as defined in Administrative Order No. 83 dated February 8, 1941.

II. The definition of the Single Pants, Shirts, and Allied Garments Industry, as set forth in Administrative Order No. 83 issued February 8, 1941, is as follows:

The production of men's and boys' Single pants, washable service garments, work shirts, overalls, overall jackets, and coveralls from any material; dress and sport shirts from woven fabric or purchased knit fabric; and collars and sleeping wear from woven fabric.

The definition of the single pants, shirts and allied garments industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition; *And provided, further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 20, together with any dissenting statements which may be filed by a member subsequent to the date of this notice, are and will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, 304 Walker Building, 120 Boylston Street.

New York, New York, Parcel Post Building, 341 Ninth Avenue.

Buffalo, New York, 507-8 Dun Building, Pearl and Swan Streets.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, 216 Old Post Office Building, 4th and Smithfield Streets.

Newark, New Jersey, 1005 Kinney Building, 790 Broad Street.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 606 Snow Building, Calvert and Lombard Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1007 Comer Building, 2nd Avenue & 21st Street.

New Orleans, Louisiana, 1512 Pere Marquette Building, 150 Baronne Street.

Nashville, Tennessee, 119 Seventh Avenue North, Medical Arts Building.

Cleveland, Ohio, 728 Standard Building, 1370 Ontario Street.

Cincinnati, Ohio, 1312 Traction Building, 5th & Walnut Streets.

Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.

Indianapolis, Indiana, Room 708, 108 East Washington Street.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title & Trust Building, 10th & Walnut Streets.

St. Louis, Missouri, 100 Old Custom House Building, 815 Olive Street.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, 824 Santa Fe Building, 1114 Commerce Street.

San Antonio, Texas, 583 Federal Building, 400 East Houston Street.

San Francisco, California, 785 Market Street, Room 500.

Los Angeles, California, 417 H. W. Hellman Building, 354 South Spring Street.

Seattle, Washington, 305 Post Office Building, 208 James Street.

San Juan, Puerto Rico, Post Office Box 112.

Juneau, Alaska, D. B. Stewart, Commissioner of Mines.

Washington, District of Columbia, Department of Labor, 4th Floor.

Copies of the Committee's report and recommendation, together with any dissenting statement which may be filed by a member subsequent to the date of this notice, may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, Department of Labor, Washington, D. C.

IV. A public hearing for the purpose of taking evidence on the question whether the recommendation of Industry Committee No. 20 shall be approved or disapproved pursuant to Section 8 of the Act will be held July 30, 1941, at 10:00 a. m. at Room 3229, Department of Labor Building in Washington, D. C., before Henry T. Hunt, Esquire, Principal Hearings Examiner of the Wage and Hour Division, United States Department of Labor, as presiding officer.

V. Any interested person, supporting or opposing the recommendation of Industry Committee No. 20, may appear at the aforesaid hearing to offer evidence,

either on his own behalf or on behalf of any other person: *Provided*, That not later than July 22, 1941, any such person shall file with the Administrator at Washington, D. C., a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 20.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, Washington, D. C., and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 20 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, Washington, D. C., or by consulting with attorneys representing the Administrator who will be available for that purpose at the offices of the Wage and Hour Division in Washington, D. C.

VII. Copies of the following documents relating to the Single Pants, Shirts, and Allied Garments Industry will be made available upon request for inspection by any interested person who intends to appear at the aforesaid hearing:

U. S. Department of Labor, Wage and Hour Division, *Report on Competitive Conditions as Affected by Transportation Cost in the Apparel Industry*, June 1939.
 Transcript of public hearing in the matter of the recommendation of Industry Committee No. 2 for minimum wage rates in the Apparel Industry, November 13, 1939 to January 10, 1940.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Principal Hearings Examiner as are deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request made to the official reporter, Electric Reporting Service, 1707 I Street NW., Washington, D. C.
2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice he will not be permitted to offer evidence at any other time except by special permission of the presiding officer.

3. At the discretion of the presiding officer the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the presiding officer, or by other appropriate notice.

4. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the presiding officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the presiding officer. Where evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the presiding officer the original document together with two copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form the copies will be received in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The presiding officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person in so far as is practicable, and to object to the admission or exclusion of evidence by the presiding officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the presiding officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the presiding officer.

12. Before the close of the hearing, the presiding officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the presiding officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing the presiding officer shall forthwith file a complete record of the proceedings with the Administrator. The presiding officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 14th day of June 1941.

PHILIP B. FLEMING,
 Administrator.

[F. R. Doc. 41-4377; Filed, June 18, 1941;
 11:51 a. m.]

[Administrative Order No. 113]

ACCEPTANCE OF RESIGNATION FROM AND
 APPOINTMENT TO INDUSTRY COMMITTEE
 No. 30 FOR THE LUMBER AND TIMBER
 PRODUCTS INDUSTRY

By virtue of and pursuant to the authority vested in me by the Fair Labor

Standards Act of 1938, I, Baird Snyder, Acting Administrator of the Wage and Hour Division, Department of Labor,

Do hereby accept the resignation of Mr. C. H. Kreienbaum from Industry Committee No. 30 for the Lumber and Timber Products Industry and do appoint in his stead, as representative for the employers on such Committee, Mr. E. C. Stone, of Seattle, Washington.

Signed at Washington, D. C., this 18th day of June 1941.

BAIRD SNYDER,
Acting Administrator.

[F. R. Doc. 41-4378; Filed, June 18, 1941;
11:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6092]

NOTICE RELATIVE TO THE METROPOLIS CO. (NEW)

Application dated April 2, 1941, for license for a new broadcast station; class of service, broadcast; class of station, broadcast; location, Ocala, Florida; operating assignment specified: Frequency, 1,490 kc.; power, 100 w., hours of operation, unlimited. Requests facilities WTMC.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reason:

1. To determine the legal, technical, financial and other qualifications of the applicant, and its officers, directors and stockholders, to operate the proposed station in the public interest.

The application involved herein will not be granted by the Commission unless the issue listed above is determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issue by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

The Metropolis Company, 500 Laura Street, Jacksonville, Florida.

Dated at Washington, D. C., June 16, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-4370; Filed, June 18, 1941;
11:15 a. m.]

[Docket No. 6093]

NOTICE RELATIVE TO BAY COUNTY PUBLISHERS, INC. (NEW)

Application dated April 2, 1941, for license for a new broadcast station; class of service, broadcast; class of station, broadcast; location, Panama City, Florida, operating assignment specified: Frequency, 1,230 kc.; power, 100 w. night, 250 w. day; hours of operation, unlimited. Requests facilities WDLP.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reason:

1. To determine the legal, technical, financial and other qualifications of the applicant, and its officers, directors and stockholders, to operate the proposed station in the public interest.

The application involved herein will not be granted by the Commission unless the issue listed above is determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issue by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Bay County Publishers, Inc., Panama City, Florida.

Dated at Washington, D. C., June 16, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-4371; Filed, June 18, 1941;
11:15 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-39]

IN THE MATTER OF BENNIE SHARE CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of June A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of sections 6 (c) and/or 6 (d) of the Investment Company Act of 1940 for an exemption from all the provisions of said Act;

It is ordered, That a hearing on the aforesaid application be held on July 1, 1941 at 10:30 o'clock in the forenoon of that day at the Securities and Exchange

Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise interested parties where such hearing will be held;

It is further ordered, That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4372; Filed, June 18, 1941;
11:29 a. m.]

UNITED STATES CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS SATURDAY, JUNE 14, 1941

Important. Although the apportioned classified Civil Service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal Civilian positions in the District of Columbia. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his State of original residence. Certifications of eligibles are first made from states which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS		
1. Virgin Islands.....	12	0
2. Puerto Rico.....	880	45
3. Hawaii.....	199	22
4. California.....	3,282	1,097
5. Alaska.....	34	12
6. Texas.....	3,020	1,422
7. Louisiana.....	1,113	542
8. Michigan.....	2,474	1,282
9. Arizona.....	235	129
10. South Carolina.....	894	537
11. Kentucky.....	1,340	847
12. Mississippi.....	1,028	660
13. Georgia.....	1,471	946
14. New Mexico.....	250	162
15. Alabama.....	1,334	873
16. North Carolina.....	1,681	1,134

State	Number of positions to which entitled	Number of positions occupied
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IN ARREARS—Continued

17. Arkansas.....	918	624
18. Ohio.....	3,252	2,261
19. New Jersey.....	1,958	1,421
20. Nevada.....	52	39
21. Tennessee.....	1,373	1,108
22. Florida.....	893	730
23. Oklahoma.....	1,100	985
24. Indiana.....	1,614	1,449
25. Illinois.....	3,718	3,348
26. Idaho.....	247	228
27. Wisconsin.....	1,477	1,396
28. Oregon.....	513	491
29. West Virginia.....	895	876
30. Delaware.....	125	123
31. Washington.....	817	807

IN EXCESS

32. New York.....	6,345	6,424
33. Connecticut.....	805	825

State	Number of positions to which entitled	Number of positions occupied
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IN EXCESS—Continued

34. Pennsylvania.....	4,661	4,777
35. Vermont.....	169	174
36. Minnesota.....	1,814	1,353
37. Missouri.....	1,782	1,839
38. New Hampshire.....	231	242
39. Maine.....	399	419
40. Massachusetts.....	2,032	2,155
41. Colorado.....	529	566
42. Wyoming.....	118	128
43. Iowa.....	1,195	1,298
44. Rhode Island.....	336	383
45. Utah.....	259	306
46. South Dakota.....	303	382
47. Montana.....	263	339
48. Kansas.....	848	1,161
49. North Dakota.....	302	437
50. Nebraska.....	619	983
51. Virginia.....	1,261	2,142
52. Maryland.....	857	2,273
53. District of Columbia.....	312	8,936

GAINS

By appointment.....	834
By transfer.....	33
By reinstatement.....	3
By correction.....	4
Total.....	874

LOSSES

By separation.....	55
By transfer.....	100
Total.....	155

Total Appointments..... 63,109

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under sec. 3, Rule VII, and the attorney General's Opinion of August 25, 1934, 18,537.

By direction of the Commission.

[SEAL]

L. A. MOYER,
Executive Director,
and Chief Examiner.

[F. R. Doc. 41-4355; Filed, June 18, 1941;
9:24 a. m.]

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